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CONTENTS

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Important Congressional Action: The Railway Law	451	The Management of Small States which Are Unable to Manage Themselves..	462
Postal Savings, Statehood, and Conser- vation	452	By Theodore Roosevelt	
The Porto Rican Bill	452	Reading for Everybody.....	463
The Government and Health.....	453	The Power of the President.....	464
Governor Hughes and the Special Session	453	Direct Nominations.....	468
The Political Outlook: Ohio.....	455	The Spectator	469
Pennsylvania and Minnesota.....	456	Does It Pay to Work for the Govern- ment?	471
The Canadian Combines Investigation Act	456	By Francis E. Leupp	
The Commencement Season.....	457	The Spirit of Democracy: In the Family— the Pagan Ideal.....	475
The Unity of the Christian Faith.....	458	By Lyman Abbott	
The World Missionary Conference	459	What the Women Strikers Won.....	480
Spain and the Vatican	459	By Miriam F. Scott	
Ramabai.....	460	A Fourth of July Celebration in the Rockies.....	481
Dr. Hunter's Mission	461	By Katharine F. Ellis	
Mr. Roosevelt and the Custom-House.	461	The Problem of the Third Italy.....	487
Mr. Roosevelt to The Outlook's Readers	462	By Hamilton W. Mabie	
By Theodore Roosevelt		The New Books.....	490
		Letters to The Outlook.....	493

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The Outlook

JULY 2, 1910

LYMAN ABBOTT, Editor-in-Chief. HAMILTON W. MABIE, Associate Editor
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Contributing Editor



IMPORTANT CONGRESSIONAL ACTION: THE RAILWAY LAW

Of the measures passed by Congress at the present session, three stand out as far-reaching in consequences. One of these bills will vitally affect the whole transportation system and commerce of the country. That is the new Railway Law. Another will have an inestimable influence upon the thrift and standards of living of the American people. That is the law for the establishment of postal savings banks. The third completes the roster of States within the continental part of the Union. That is the bill admitting to Statehood Arizona and New Mexico. All three of these measures were on what has been known as the Taft programme. All three have had a rather perilous course in Congress. All three have aroused great diversity of opinion. All three have been materially modified in the process of enactment. The Railway Law, as The Outlook has already stated, marks an astonishing advance in the movement on the part of the American people to control for the public welfare the highways of trade and travel. It establishes a court to be known as the Commerce Court, composed of five judges assigned from among Circuit Judges of the United States by the Chief Justice of the United States for a period of five years. This Court has no larger jurisdiction than that now exercised by the Circuit Courts; but it is to have the exclusive function of hearing and deciding cases brought for the purpose of enforcing or setting aside orders of the Inter-State Commerce Commission and certain other classes of cases for the regulation of inter-State commerce. Appeals from this Court may be taken to the United States Supreme Court.

In all such cases the United States itself, rather than, as at present, the Inter-State Commerce Commission, is to be a party, and is to be represented by the Attorney-General's office. The Inter-State Commerce Commission and interested shippers may, however, be represented by counsel. Every common carrier subject to the act must designate an agent in the city of Washington as a representative on whom service of notices and processes may be made. Telegraph and telephone companies are made subject to the act, as express companies and sleeping-car companies are included among common carriers. Common carriers are forbidden to charge more for a short haul than for a long haul except as they succeed in demonstrating to the Commission that they should be relieved from the prohibition. If a railway in competition with a water route reduces the rates on any kind of freight, it is not permitted to increase such rate unless, after a hearing by the Commission, it is shown that an increase "rests upon changed conditions other than the elimination of water competition." Common carriers are held responsible for correctly informing shippers of the authorized rate. The Inter-State Commerce Commission can not only investigate complaints as at present, but may institute an inquiry on its own motion. It may also suspend rates in advance of their going into effect pending an investigation of their classification, and may continue the suspension for ten months beyond the thirty days after the filing of the rates when such rates would naturally go into effect. The Inter-State Commerce Commission may establish through routes, and is also given greater leeway in the matter of requiring common

carriers to file reports. Finally, a special Commission is created to investigate questions pertaining to the issuance of railway securities. If those readers of The Outlook who are particularly interested in this act will compare these provisions with the outline of the bill as originally introduced, which was given in The Outlook for March 12, they will see that the modifications made during enactment are perhaps as significant as are the originally proposed additions to the present law. These additions and modifications bear witness to the influence of a comparatively small but an earnest body of progressive Republicans in both branches of Congress.

**POSTAL SAVINGS,
STATEHOOD,
AND CONSERVATION**

By enacting a Postal Savings Bank Law, Congress has responded to a demand that has been virtually continuous, and has been expressed with increasing effectiveness, for over a generation. By this law Congress has created a Board of Trustees consisting of the Postmaster-General, the Secretary of the Treasury, and the Attorney-General. This Board is authorized to select post-offices to serve as depositories for savings. In any such depository office, any person over ten years of age may open an account; but no person can have more than one such account. One dollar or multiples of a dollar may be deposited by any one person up to one hundred dollars in any calendar month. No account shall exceed five hundred dollars. Smaller amounts may be saved by the purchase of special ten-cent stamps which will be accepted for deposit as they reach any multiple of ten stamps. A depositor receives interest at two per cent, or, if he wishes, may surrender his deposit in sums of twenty dollars, forty dollars, sixty dollars, eighty dollars, a hundred dollars, or five hundred dollars, and receive for it Government bonds of equivalent value bearing two and a half per cent interest. Such moneys as the trustees deposit are to be placed in State or National banks and guaranteed by prescribed securities. Our readers must not be disappointed if, the next time they go to a post-office, the postmaster or his clerk should decline to receive a proffered

deposit. No post-office is made a postal savings bank by virtue of this act. The Board of Trustees are to determine what offices shall receive savings deposits. The postal savings bank system of the United States will necessarily be of slow growth. With regard to the admission of Arizona and New Mexico, little need be said except that Congress has required of these two Territories compliance with certain restrictive conditions. As soon as these Territories become States, however, they will be able to escape from virtually all restrictions, except those placed on all the States by the Federal Constitution, if public sentiment within the States is strong enough to bring about changes in the State Constitution. In other words, all that Congress can do is to put these States on what it regards as the right road. As in the case of Oklahoma, however, Congress cannot prevent them from making each a road for itself. Among the most important measures which we have already mentioned we have purposely not included the Land Withdrawal Bill. This is a measure to insure the safety of those public lands which by executive order may have already been or may in the future be withdrawn from entry. Its value lies chiefly in the fact that it states clearly that to be legal which the Administration has been inclined to regard as illegal without such law. It is the one survival of that large group of conservation bills which were introduced for the purpose of establishing more firmly the conservation policy of the Federal Government.

**THE PORTO RICAN
BILL**

The Porto Rican Bill as it has passed the House appears to us in two respects a movement in the wrong direction. The House has struck out the clause providing for a *quasi* naturalization of such Porto Ricans as desire to become citizens of the United States, and has substituted a clause declaring all citizens of Porto Rico to be citizens of the United States; and it has taken all heads of departments out of the Porto Rican Senate and provided that all Senators shall be residents of and property-holders in Porto Rico. All heads of departments and eight of the thirteen Senators are to be appointed by the President. Two argu-

ments for the amendment substituting collective citizenship for individual citizenship by naturalization were adduced: one that it would be more pleasing to the Porto Ricans, the other that it had been pledged by the Republican party. Neither argument appears to us conclusive, neither of them is the argument of a statesman. And no serious consideration was given in the debate to the three serious objections to collective citizenship: (1) That it may have the effect to deprive Porto Rico of a chief source of its present income—the Federal taxes, which are now paid into the insular treasury; (2) that it requires of those who are members of an alien people, though not aliens in the eye of the law, no oath of allegiance to the United States; (3) that it tends to put Porto Rico in the way of becoming a State of the Union, which is desirable neither for Porto Rico nor the United States. There is more to be said for taking the heads of departments out of the Senate, but, in our judgment, conformity to the English precedent is better adapted in this respect to Porto Rican conditions than conformity to the American precedent; and putting Porto Ricans and Americans together in the same legislative house has decided advantages in promoting better acquaintance and a spirit of co-operation.

THE GOVERNMENT AND HEALTH

In the pressure of so many important measures before Congress, no adequate consideration was given to the proposal to bring about what President Taft last year said would be "the economy of the union of all health agencies of the National Government in one bureau or department." It may be added that there would not only be economy of money and effort, but economy of life, in such a union. Senator Owen's bill proposed a separate Department of Health, but this is not the essential thing. What is needed, whether through bureau or department, is, first, the consolidation of existing bureaus relating to health now working under separate departments, and, second, a sensible extension of the health work of the United States Government, which now looks more closely after the lives of hogs than of men. The movement has been opposed by some rather

mysterious agencies which have spent large sums in advertisements and circulars, all of which convey the totally wrong impression that the legislation asked would control the practice of medicine or restrict medical freedom. Every citizen ought to know that the Federal Government has no power to do this. The flaunting headline "Do You Want the 'Doctors' Trust' to be Able to Force its Opinions on You?" is a patent absurdity. What is proposed is to unite all National efforts for the purpose of fighting diseases by preventing the pollution of inter-State streams (thereby reducing death by typhoid), by preventing the adulteration of foods, by preventing the importation of bubonic plague and yellow fever, by studying the causes of disease, by favoring uniform legislation as to sanitation and local health laws, by investigating health conditions, and by disseminating information. Senator Owen has characterized the opposition by saying: "It is obviously artificial; it is perfectly apparent that somebody is spending a very large amount of money on this sudden propaganda; it can hardly be doubted that somebody, in gross error, is advising the 'homœopaths,' the 'osteopaths,' the 'eclectics,' that their right to practice medicine is about to be invaded by the Federal Government." Professor Irving Fisher in a recent article points out that in the past cities have concealed the existence of yellow fever and bubonic plague through commercial fears, and that the same opposition is made as regards the fight against the hook-worm disease in the South to-day. When President Taft, in a speech at Chicago, spoke of health-conservation, the applause and interest were such as to excite his surprise. It is merely a truism to say that there is an immense and perfectly proper field for the Nation to occupy in health-conservation. The matter will surely come before Congress again, and when the people fully understand it they will insist on legislation in some form for united and systematic effort.

GOVERNOR HUGHES AND THE SPECIAL SESSION

Having called the Legislature of New York in extraordinary session, Governor Hughes laid before it last week his recommenda-

tions. These recommendations are of special importance because, according to the Constitution of the State, it is only upon subjects for which the Governor makes recommendations that the Legislature can take action. There are three general subjects which the Governor considers in his Message. The first is that of direct nominations. The Hinman-Green bill, which represents the Governor's views on the subject, was defeated in the regular session. Another bill was passed; but it was so obviously inadequate, not to say destructive of any chance for real reform, that the Governor promptly vetoed it. A third bill, known as the Cobb bill, which embodied the principles and chief provisions of the Hinman-Green bill, but applied them to nominations, not for all State offices, but only for members of Congress, members of the Legislature, and for certain county officers, was passed by one branch but failed of enactment. To meet the situation created by this record, Governor Hughes recommends that the Legislature supply a remedy in "a suitable system of direct nomination of candidates for public office," and whatever further measures to safeguard the primaries and elections may be advisable. The second subject is that of "investigation into corrupt and improper practices in connection with the Legislature." As is well known all over the country, the New York Senate elicited certain facts regarding corrupt practices that led to the condemnation of a State Senator, who escaped expulsion only by resigning. There have been revelations also of improper practices through an investigation carried on by the State Superintendent of Insurance. The Legislature felt the pressure of public opinion for further investigation; but the managers of the dominant party—the Republican—were decidedly disinclined to probe much deeper, for they feared that the consequent discoveries of evil might bring about popular disgust with the party under which the evils had existed. Such men do not realize that when a party incurs popular suspicion it can rehabilitate itself, not by trying to cover up the wrong, but only by laying it bare and eradicating it. So these managers, finding that they could not wholly

avert an investigation, provided for one that was to be limited in scope. Governor Hughes recommends that the committee empowered to make this investigation be given such authority that "it may neither be ignored nor be defied." In this the Governor is of course right. The facts elicited by the Senate investigation and the Superintendent of Insurance show that there is abundant cause for investigation; and since there should be an investigation, it is perfectly plain that it should be thorough. The third subject for legislative action which Governor Hughes recommends in his Message is that of State finances. He shows that the Legislature has provided about thirty-six million dollars and has made appropriations which (even after being reduced some four million dollars by the veto he has the right to exercise) amount to about forty-two million dollars. In other words, the Legislature has taken out of the State Treasury at least five or six millions more than it has put in. Believing that this deficit should not be met by drawing upon the surplus moneys of the State, which should be kept as a reserve for contingencies, Governor Hughes asks that the Legislature make provision for the outlays that have been authorized. In connection with this, he recommends that the law regarding the taxation of inheritances be altered. According to the present law, the percentage of the tax on property bequeathed is graded merely according to the relation between the maker of the bequest and the recipient. A class of recipients in close relationship with the testator pay a smaller percentage than the class of recipients distantly or not at all related. A bill passed by the Assembly in the regular session undertook to substitute a "progressive inheritance tax," according to which the percentage of the bequest taken by the State in taxes would not only vary according to relationship but also would increase with the amount of the estate. Thus an estate valued at less than \$100,000 would be taxed at seven per cent if distributed to strangers and collateral relatives; valued at more than \$100,000 and less than \$250,000, at eight per cent; more than \$250,000, at ten per cent. Governor Hughes points out that while the grading

of an inheritance tax is wise, it should not be based upon the value of the whole estate bequeathed, but upon the various bequests received. In the former case a man receiving \$10,000 from a \$50,000 estate would have to pay seven per cent in taxes—that is, seven hundred dollars; but if he received the same sum, \$10,000, from a \$300,000 estate, although he received no more, he would have to pay ten per cent in taxes—that is, one thousand dollars. Whether the estate itself is taxed, or the recipients, the tax comes ultimately of course from the recipients. Governor Hughes urges that the basis be the value of the property received in each instance. In that case the man receiving \$10,000 would pay a definite percentage, no matter how valuable the estate from which this sum was taken; and the man receiving, say, \$50,000 would pay a larger percentage, even though the estate from which it was derived was smaller. The Governor quotes an opinion of the Supreme Court stating that the inequalities of the former basis are inevitable and profound, and quoting the words of a special tax commission urging the justice of providing that recipients who belong to the same class and receive precisely the same amount should pay precisely the same tax. Of the Governor's recommendations, that concerning Direct Nominations is the most important because most fundamental. Upon this we comment further elsewhere in this issue.



THE POLITICAL OUTLOOK: OHIO

Last week's political conventions were interesting, particularly the Democratic Convention in Ohio. Its platform is regarded by many as a forecast of the next Democratic National platform, and its candidate for Governor as a not improbable Presidential candidate, one perhaps more of the Parker than the Bryan type. The candidate is the Hon. Judson Harmon, formerly Attorney-General in the Cleveland Cabinet, and at present Governor of Ohio. His political weight is shown by the fact that he, a Democrat, was elected Governor by no less than nineteen thousand majority on the same day that Judge Taft, the Republican Presidential candidate, carried the State

by sixty-nine thousand majority. Judge Harmon has been an honest and vigorous executive. In renominating him the Convention declared that two years hence his work for Ohio will have been completed, and then he can be spared for larger duties. Mr. Harmon has long since shown that a ruling idea with him is personal responsibility. Hence the Ohio Democratic Convention's platform says: "He believes that guilt is personal—he is acting on that belief at home, and would act upon it in wider fields. A high sense of duty provides his only motive for official action, and his sense of justice alone compels judgment." After recounting Governor Harmon's prosecution of grafters in Ohio, the platform declares for the following State issues: ratification of the Income Tax Amendment to the Federal Constitution; election of United States Senators by direct vote of the people; a uniform school-book law; affirmation of the principle of the initiative and referendum; extension of the teaching of agriculture; promotion of a non-partisan judiciary by the placing of the names of all judicial candidates on a separate ballot without party distinction; and a limitation of the hours of labor of employed women. In National affairs the platform favors the application of business methods to the administration of the Federal Government in order to reduce its enormous and fast-growing expenses; revision of the present tariff; the conservation of our natural resources. The platform denounces the Republican Administration, and especially that of Secretary Ballinger, "for dismissing from the public service tried and true officers, whose only aim was the preservation to the people of such resources." The principal point at issue in the Convention was a contest between the Harmon and the Bryan elements, the latter led by Mr. Newton D. Baker, City Solicitor of Cleveland, for ex-Mayor Johnson. It may be remembered that some time ago Mr. Bryan addressed an open letter to Governor Harmon recommending the naming of a Senatorial candidate by the Convention. At least half a dozen Ohio Democrats want to succeed Senator Dick, the present incumbent. To permit the preference at this time to fall on any one of them might weaken the support of the

others in the coming campaign, which of course will be the skirmish line of the greater campaign in 1912. Hence by a majority vote of over eight hundred the Convention decided against the Bryan recommendation.

THE POLITICAL
OUTLOOK: PENNSYLVANIA
AND MINNESOTA

In contrast with the lengthy and turbulent Ohio Democratic Convention, the Pennsylvania Republican Convention was a brief and harmonious affair. Secretary Knox's refusal to permit his name to go before the Convention as a candidate for Governor eliminated even the semblance of a contest from the proceedings. The Convention appeared to be under the complete control of Senator Penrose; this would hardly have been so had Mr. Knox's name led the list. Instead of the Secretary of State as a candidate, the Republicans nominated an ex-baseball professional and present member of Congress, Mr. John Kinley Tener, an Irish-born American. He was educated in the Pittsburgh schools, and for four years was a "star" pitcher for the Pittsburgh and Chicago teams. When a team was sent around the world, Mr. Tener was selected as one of its pitchers, and was also treasurer of the organization. On his return to the United States his accounts were audited, and an overplus of seven cents was found! After this Mr. Tener decided that he could manage a business of his own. He went into real estate and started a bank. His election as Governor is simplified by the action of the Democrats in not nominating their strongest candidate. As was expected, the Convention adopted a straight-out "stand-pat" platform, especially its tariff plank. Every one expected Pennsylvania to be conservative, but no one expected that Minnesota would show itself as conservative as its Republican Convention platform proved to be. Of the Minnesota delegation in Congress, only one member is outside the Insurgent ranks. No State has been supposed to be in a greater ferment against the Payne Tariff than is Minnesota. And yet, in this stronghold of Insurgency, the Republicans did not protest against the Payne Law. While indorsing the course of their delegation

in Congress and indorsing Senator Clapp and Governor Eberhart for re-election, they ignored the reference to the tariff demanded by the Insurgent wing, presumed to be in overwhelming control; it must have lacked either the necessary votes or the courage of conviction. Moreover, the Convention tabled a resolution, suggested to it by opponents of the present Administration, "reaffirming our unalterable support of the policies promulgated by Theodore Roosevelt," because, perhaps, such a resolution might imply that President Taft was opposed to the Roosevelt policies. The Convention commended the "wise" and "conciliatory" Taft Administration and the President's "patriotic efforts to secure legislation for the benefit of the whole people."

THE CANADIAN COMBINES
INVESTIGATION ACT

A few years ago Canada was a cheap country to live in; but since 1899, according to carefully conducted Government inquiries, prices of field and farm products have risen from thirty to forty per cent over the average for the previous decade, and there has been a very perceptible though not quite so great a rise in the prices of many manufactured goods. The Canadian consumer is growing restive under the constant additions to his burdens, and, though the complex conditions of modern life render his diagnosis of the case difficult, he is firmly convinced that "something is wrong somewhere." His complaint has reached the ear of legislators, who (in their private capacity) doubtless feel, like the rest, the pinching of the economic shoe, and one result is the Combines Investigation Act, which became law on May 4 of this year. While it is recognized that the higher cost of living is due to a variety of causes, and that "trusts and mergers" do not invariably increase prices, the new measure is professedly in the interests of the consumers. It is aimed, not at combines as such, but at the frequent abuse of the powers granted to them by the State. To some extent it is a further following out of the idea which has worked satisfactorily in the Industrial Disputes Investigation Act, depending largely, though by no means

wholly, on the good effect of publicity. Under its provisions six or more consumers who believe that a combine exists, and that it has unduly enhanced prices or restricted trade, may apply to "a judge of the High Court for an order to grant an investigation." The judge, if satisfied that a *prima facie* case has been made out, must direct to the Minister of Labor an order for an investigation, at the cost of the State. The Minister shall call upon the parties who have made complaint and upon those concerned in the alleged combine each to nominate a member on the Board of Investigation. The two gentlemen thus chosen may select from among the judges a third person to act as chairman of the Board. Should they fail to agree, the Minister appoints the chairman. The Board so constituted has power to summon witnesses, order production of documents, and take evidence on oath, and is obliged to report to the Minister of Labor, whose duty it is to publish the report in the "Canada Gazette." Much is expected from the mere letting in of the light upon the working of large corporations operated in a way unfair to the consumer; but the Act provides certain definite checks on the rapacity of such corporations. In the case of articles protected by the tariff, the Governor in Council, on receiving a report that the complaints of the consumers are well founded, may reduce or abolish the duty upon the particular article. In case of the unfair use of rights under the Patent Act (by which it has sometimes happened not only that an unjustifiable toll has been exacted from the consuming public, but that "worthy producers and manufacturers" have been actually ruined), the patent may be "revoked on application to the Exchequer Court of Canada." Moreover, when a combine has been "found guilty of unduly enhancing prices or restricting competition to the detriment of consumers," if the guilty parties do not amend their ways within ten days after the publication of the report, they shall be guilty of an indictable offense and shall be liable to a fine of a thousand dollars a day and costs while they continue to offend. In the final draft of the bill a clause was inserted to safeguard the rights of the trades unions.

THE COMMENCEMENT SEASON

It is noteworthy and auspicious that the interests which this year's Commencement addresses have most emphasized, as appealing to college graduates, have been an ethical revival and international peace. A typical utterance is that of Mayor Gaynor at St. John's College, Annapolis: "The country needs educated men. I mean men trained to think, and of the stuff to stand up to their convictions, especially their moral convictions. . . . Stand by your own educated second-thought always, which means by your enlightened conscience." Passing from personal to international ethics, President Faunce said at Brown University: "The best contribution that college men and women can make to the life of their time is by insisting that the laws already insisted on as the basis of the individual life shall prevail as the basis of the National life, that our Union of States may become the model for a vaster federation of civilized nations, leagued against any violation by one of the peace and progress of all." The race problem was President Taft's theme at Lincoln College, Chester County, Pennsylvania, which he recognized as "doing God's work" in the higher education of the negro. The most conspicuous utterance in other lines was in a brief speech at the Yale Alumni meeting, seconding a recent suggestion by Ambassador Bryce that, as government by influence is tending to supersede government by force, a "House of College Presidents" may become an unofficial factor of National welfare. Among the recipients of honorary degrees this year Miss Jane Addams, who has been called "the foremost citizen of Chicago," is distinguished as the first woman on whom Yale has conferred one. In presenting her for the degree of Master of Arts, Professor Perrin, after alluding to Hull House as "the most extensive and important social settlement in the United States," said: "She has had a prophetic vision of what might be done, and militant courage, united with a high order of administrative, social, and political capacity, in doing and getting it done." That the alumni and friends of the Eastern universities will sustain them as liberally as State treasuries sustain the Western has

been indicated this year, first, by the ten-million-dollar legacy which will virtually create a graduate college for Princeton; next, by the announcement that Yale has received, since last Commencement, the record-breaking sum of over two and a third million dollars, making up half of the ultimate ten millions aimed at. During the Commencement season two noteworthy events have occurred in the field of secondary education. The New Haven Hopkins Grammar School celebrated its quarter-millennial anniversary with a banquet of its alumni, preceded by a valuable historical address by the Hon. Simeon E. Baldwin, recently Chief Justice of Connecticut. Founded in 1660 by Governor Hopkins, of the Hartford Colony, it is the youngest of the three "grammar" schools of the old English type now existing in New England—the others being in Boston and Roxbury, Massachusetts. At Troy has been dedicated the fine group of buildings erected by gift from Mrs. Sage, one of its alumnae, for the girls' school established there in 1821 by Emma Willard, whose noble statue is one of the city's ornaments. Reckoning Mrs. Sage's like gift to the Rensselaer Polytechnic Institute, this expenditure of two millions for educational uses finds its proper parallel in the work for civic regeneration that has been going on in Troy.

THE UNITY OF THE CHRISTIAN FAITH

The letter addressed by Monsignor Bonomelli, Roman Catholic Bishop of Cremona, Italy, to the World's Missionary Conference at Edinburgh, in response to an invitation for a contribution, is a very significant document, and the sending of the letter was a very significant event. Commending this Conference as an evidence of the vitality of the religious spirit, warmly commending the evidence of religious liberty afforded by this meeting of men of various faiths, "not for the purpose of hating and combating each other for the supposed greater glory of God, but in order to consecrate themselves in Christian love to the pursuit of that religious truth which unites all believers in Christ," he affirms that this unity of the faith is no idle dream, but a splendid spiritual reality:

Yours, gentlemen, is not an optimistic idealism, nor an idle dream. The elements

of fact in which you all agree are numerous, and are common to the various Christian denominations, and they can therefore serve as a point of departure for your discussions. It is, therefore, legitimate to aspire to a unity of faith, and of religious practice, and to work for its realization by the consecration of all energies of mind and heart. This is a work in which we in our day may well co-operate. In this field, as in others, it is well to keep in mind that from the clash of opinions, discussed in a free and calm spirit, sparks of truth cannot fail to be elicited.

Having affirmed the real unity of the Christian faith, he goes on to define its elements in the following language:

Like myself, all of you are persuaded that the physical, ethical, and social developments of life do not satisfy man, because man, whether he wills it or not, is oppressed by the Infinite, and this consciousness, from which he cannot deliver himself, urges him to harmonize his physical and social conditions with the supreme Reality, which is God, the source of all these conditions, and to which they are subordinate. Without such harmony, the ethical and social life loses its significance, and impresses us with its insufficiency. Faith, therefore, in God the Creator, which bestows on human life an eternal and absolute value, is for you the primary point of agreement. You all share faith in Christ, the Redeemer; Christ reveals himself, and is adored as divine; this is a religious fact of unequalled importance. Jesus has, in reality, not vanished either from history or from the life of Christianity. He lives at all times in millions of souls, he is enthroned as King in all hearts. The figure of Christ has not the cold splendor of a distant star, but the warmth of a heart which is near us, a flame burning in the soul of believers and keeping alive their consciences. Putting aside certain opinions which, honored at the moment, may possibly be abandoned to-morrow, criticism had hoped to effect a complete demolition of the conception of Christ, but what criticism really demolished was merely irrelevant matter. The figure of Christ, after all the onslaughts of criticism, now stands forth more pure and divine than ever and compels our adoration. Thus we are united in the profound conviction that a universal religion is necessary, and that this must be the Christian religion; not a cold and formal religion, a thing apart from human life, but a living force, pervading the human soul in its essence, and its various manifestations, a religion, in short, which completes and crowns our life, and which bears fruition in work of love and holiness.

It is interesting to us, and we venture to think not without significance, that this summary of Christian faith by a prominent Italian Roman Catholic clergyman appears almost simultaneously with a

similar summary of Christian faith, published in *The Outlook*, an American and Protestant journal (June 18 issue), and that the two, while differing in phraseology and statement, do not differ in either their animating spirit or their essential principles. To Monsignor Bonomelli's question *The Outlook* gives heartily an affirmative response: "Are not these elements more than sufficient to constitute a common ground of agreement, and to afford a sound basis for further discussion, tending to promote the union of all believers in Christ?"

THE WORLD MISSIONARY CONFERENCE

Last week's sessions of the World Missionary Conference at Edinburgh were interesting, first, because of the discussions on the report of the Commission on Carrying the Gospel to all the Non-Christian World. It appeared that mission lands may have many Christian adherents in addition to those who are reported by mission societies as baptized or communicant members. In some cases considerable bodies of Christians, the fruit of missionary effort in the past, have passed from the direct supervision of the societies which started them; there are, for instance, the Hawaiian Islanders, the Eskimos of Greenland, the constituency of the Reformed Church of the Dutch East Indies, and the so-called Ethiopian Movement in Africa. As the work of missionary societies comes to an end in particular regions, the societies themselves, of course, cease to be primary sources of information concerning the extent and the scope of the Christian community in the regions formerly occupied by them. As a rule, statistics give only the present constituencies of the societies reported. But the negroes of our own country, the West Indies, and Africa, and many other places, have been Christianized. The entire mission fruitage, therefore, indicates a present Christian population of non-Christian origin of about twelve millions, outside of that of the Roman Catholic and the various Eastern Churches. When the results of Roman Catholic and Eastern missions are added, the total fruitage of Christian missions from among non-Christians should reach at least twenty millions.

NATIONAL GOVERNMENTS AND MISSIONARY SOCIETIES

Another equally interesting discussion was that concerning those governmental, diplomatic, and civil questions which affect religious movements and are affected by them. The subject was introduced by the presentation of the report of the Commission on Missions and Governments, of which Lord Balfour of Burleigh is Chairman and the Hon. Seth Low, of New York, is Vice-Chairman. The Commission sensibly recommended to the Conference the appointment of a committee, composed in part of jurists of international reputation, to draw up a brief statement of recognized principles underlying the relations of missions and government. After having received the indorsement of the leading missionary societies, this statement, it was urged, should be published for the information both of missionaries and of those Government officials who may be in contact with mission work. The Commission concluded its report with a special illustration of the disaster when governmental and missionary information and endeavor are not combined; the claims of humanity and the rights of missions have both been flagrantly and continuously violated by the Government of the Congo State. The Commission calls upon the Conference to appeal to the signatories of the Berlin Treaty, which erected the Congo State. No action, we submit, by the World Missionary Conference is likely to be more fruitful of result than its discussion of this subject. Some two years ago, in a missionary address at Carnegie Hall, New York City, President Taft declared that missionaries were the purveyors of the most authentic information which the Government could obtain. On their part, many missionaries need to be enlightened concerning the proper relations between governments and missions. Government officials and missionaries should realize the present lack in this respect.

SPAIN AND THE VATICAN

The King of Spain has lately issued two important decrees. One limits Roman Catholic activity; the other extends Protestant activity. The first decree

directs that all religious orders not authorized by the Concordat between Spain and the Vatican shall be dissolved or else enrolled under the Associations Law. Since the loss of the Spanish colonies and the expulsion of monks and nuns from France the religious orders in Spain have multiplied. The Spanish population is less than nineteen millions. Yet there are, so it is claimed, over ten thousand monks and about forty thousand nuns in Spain. The Concordat of 1851 declares that the Roman Catholic faith is the State religion, provides for its support, protects episcopal rights and the already established religious orders, also the Church's right to acquire and hold property. In 1902 Señor Sagasta, the Liberal Prime Minister, endeavored to introduce a modification, interesting not only in itself, but also as showing that even Spain can show signs of progress. Señor Sagasta wanted to limit the Church's property holdings, to prohibit minors from entering monastic orders, to throw open monastic houses to police inspection, and to subject Church teachers to State inspection. But the plan miscarried. Succeeding Cabinets have realized the need of reform, but have been either unable or unwilling to enter upon the necessary warfare with the Vatican. Fortunately now, however, a courageous Radical, Señor Canalejas, is Premier. He exacted the King's consent to a plan of ecclesiastical reform as a condition precedent to taking office. This gained, the Prime Minister approached the Vatican on the subject of Concordat revision. Perhaps thinking that prolonged negotiations might insure a continuation of present conditions, the Vatican consented to discuss these matters on which Señor Canalejas wishes modification—State support, the property question, the rights of the monastic orders. Then came the second decree. It declared that non-Catholic sects should be permitted to place religious emblems on their houses of worship and to conduct their services publicly on an equal plane of freedom with Roman Catholics. On this the Vatican balked, and, so it is reported, denounced the decree as a breach of faith. The Premier was ready with his answer; he could not allow the discussion of the Concordat to protect abuses which the Concordat's terms them-

selves did not protect. Here the matter stands. To Spain's credit, the young King has been induced to issue two decrees which may become historic in their significance.

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RAMABAI Nearly thirty years ago Ramabai, the orphan daughter of a great Brahmin teacher, undertook to carry out her father's project for the discouragement of child-marriages, and the education of Hindu women. Her prodigious erudition had gained her from native scholars the title "Pandita," equivalent to our Doctor of Letters. Having embraced Christianity, she visited this country, and interested many in her work for the pitifully abused class of Hindu child-widows, to rescue them from misery and train them for self-support. Thus reinforced, she opened a home for them in 1889, the Shâradâ Sadan (House of Wisdom). This is now the nucleus of a great institution at the village of Kedgaon, near Poona, in the Bombay Presidency, where over a thousand girls and young women are under her training. The whole establishment is called "Mukti" (Salvation), and its influence radiates through India. It is a Christian home, open to all who come, with a Kripa Sadan (House of Refuge) for unsheltered lives, victims of cruelty and famine. Their living is simple, in the native fashion. Seventy-five hand looms produce the cottons from which the pupils make their clothing. A farm, worked by help of a boys' department, produces all the food required. The most surprising industry is the printery, where girls set type in English, Greek, Hebrew, Sanskrit, and Marathi. Ramabai wishes those who are to become Bible teachers and evangelists to know the Scriptures both in the original tongues and in improved versions. Her rare scholarship enables her to better the best translations made by foreign missionaries. Besides this, she is putting through her press a Bible dictionary and concordance. Graduates from the Shâradâ Sadan become her under-teachers, or go forth to work elsewhere with missionary women. Some are set apart as preachers of the Gospel, or to train such. Others, rescued by her from a wretched fate, discharge their debt by self-sacrificing service in

rescuing others. Ramabai, now fifty-two years of age, is fortunate in her only daughter, Manoramabai, who, as vice-principal, devotes herself to the Shâradâ Sadan while Ramabai directs the entire work. An illustrious name is hers. Her noble enterprise appeals not in vain to the admiration and sympathy of her sex. The American Ramabai Association will send a narrative booklet to inquirers. Its treasurer is Mr. Curtis Chipman, 222 Boylston Street, Boston.

DR. HUNTER'S MISSION

Dr. John Hunter, minister of Trinity Congregational Church in Glasgow, has just finished an unprecedented mission among Universalist churches in this country, and is extending it into Canada. Whatever comes of it, it is worthy of record. Dr. Hunter has been for many years an eminent preacher both in Glasgow and in London, a progressive in theology, and active in liturgic improvement. Deeply dissatisfied with the lack of religious fellowship in Great Britain, and the estrangements in its Congregational churches growing out of theological differences, he came to Boston in 1907 as preacher to the International Congress of Religious Liberals. The Universalist churches, of which there are hardly any in Great Britain, impressed him by their comprehensiveness, including in their fellowship men of Trinitarian and Unitarian affinities. Subsequent correspondence resulted in an invitation to undertake among them the mission he has now completed. Beginning in April at Lynn, Massachusetts, he has preached continuously from Maine to Minnesota, both Sundays and week days, on the general theme of "Spiritual Life and Religious Fellowship." Everywhere he has been greeted by large congregations, not of Universalists only, though these have been his hosts. In many cities Protestant ministers of various denominations have united with Universalists to welcome him in public receptions. Of the impression he has everywhere made correspondents of "The Universalist Leader" write: "That which he has in a marked degree, and which we perhaps most lack, is religious fervor and devoutness." "His sermons showed how Universalism may be transformed from a theology into a re-

ligion." Inwardly fruitful his mission has certainly been, whatever sequel it may have outwardly. Recent intelligence reports the breach between theological parties in English Congregationalism, which a few months ago seemed tending to such a schism as befell American Congregationalism a century since, as checked and likely to heal. Dr. Hunter's work here, in its splendid demonstration of the consistency of the evangelical spirit with a liberal theology, may, by reflex influence, contribute to the re-establishment of fraternal fellowship there.

MR. ROOSEVELT AND THE CUSTOM-HOUSE

As there has been considerable interest shown in the matter of Mr. Roosevelt and the customs examination at New York, and also some misunderstandings of the facts, it may be well to state briefly just what those facts were. When Mr. Roosevelt was appointed by President Taft Special Ambassador to represent the United States on the occasion of the funeral of Edward VII, the office carried with it technically and in accordance with general usage the privileges of every diplomatic representative. Among these is the right to have baggage passed through American custom-houses without examination. Similar privileges are extended to and constantly exercised by diplomatic representatives of all nations. Our State Department, in the regular course of its functions, notified Mr. Roosevelt of this, and it was made clear that the privilege was not a personal compliment but an official custom. Mr. Roosevelt, however, without hesitation, definitely and positively declined to avail himself of the exemption from examination. He felt that the case was different from that of an Ambassador sent out from the United States, and it was not agreeable to his wishes and feeling that the honor of representing this country and of expressing American sympathy with Great Britain should affect in any way the plans of completing his long journey; he held that the two things were distinct and should be kept so. He therefore immediately declined with thanks the privilege offered. On the arrival of Mr. Roosevelt at the port of New York, therefore, his baggage and

that of his party was examined in strict accordance with the regulations. The officials, it may be added, did their work with the utmost courtesy but also with thoroughness; the assessments were made in strict accordance with law, and the amount fixed was promptly paid.

MR. ROOSEVELT TO THE OUTLOOK'S READERS

I am very glad to be back once more in the Outlook office, and from time to time hereafter I shall have certain things to say to the readers of The Outlook. But first I would like to say one thing, through The Outlook, to those of my fellow-countrymen who write me letters, who extend me invitations, and who ask to see me. I am very deeply appreciative of their good will and kindness. I wish it were in my power to answer all the letters I receive, to accept the invitations extended to me, to see all those who wish to see me; but to do so is simply a physical impossibility, and even to attempt so much as to answer in person a rather small fraction of the letters, or to accept one in fifty of the invitations, would mean that I could do nothing else whatever. On some occasions the mail is so large that it is really necessary to leave a portion of the letters unanswered. So far as practicable, acknowledgments will be sent to each writer. I genuinely regret that it is not in my power personally to read and acknowledge each letter. As I have said before, if I even attempted this, I should not be able to do one other thing of any kind or sort during six days of the week, and I should be hard pressed to so much as keep Sunday to myself. What I have said also applies to my kind friends who wish to see me in person; and it applies even more strongly to the requests to me to speak. About all I can do is in this public way to try to express the very real gratitude I feel for the kindness that lies behind these letters and requests, and my very real regret that it is a physical impossibility for me to accede to more than a very small proportion of the requests, or even to answer personally more than a small proportion of the letters.

THEODORE ROOSEVELT.

THE MANAGEMENT OF SMALL STATES WHICH ARE UNABLE TO MAN- AGE THEMSELVES

In the issue of The Outlook for June 18 there was a quotation from a letter of an Anti-Imperialist correspondent, who, in speaking of Egypt and the Philippines, stated that the proper course to pursue was to protect countries of this nature by international agreement, the writer citing in support of his theory the way in which many small powers had their territories guaranteed by international agreement.

The trouble is in the confusion of ideas which results in trying to apply the same principle to two totally different classes of cases. A State like Switzerland or Holland differs only in size from the greatest of civilized nations, and in everything except size stands at least on a level with them. Such a State is absolutely competent to preserve order within its own bounds, to execute substantial justice, and to secure the rights of foreigners. All that is necessary, therefore, is to guarantee it against aggression; and when the great Powers have thus guaranteed it, all covenanting to protect it from the aggression of any one of their own number, their duty is done and the needs of the situation completely met. In such a State the people themselves guarantee stability, order, liberty, and protection for the rights of others. There is not the slightest need of interfering with them, of seeking to develop them, of protecting them from themselves. The needs of civilization and humanity are sufficiently met by protecting them from outside aggression.

There is no analogy at all with what occurs in a community unable to keep elementary order, or to secure elementary justice within its own borders, and unable or unwilling to do justice to foreign nations. The very worst thing from the standpoint of humanity which can happen to such a community may be to guarantee it against outside aggression. The condition of Algiers under French rule is infinitely better than its condition before the French came to Algiers, or than the condition of Morocco at this moment. The condition of Turkestan under Russia has very greatly

improved. The condition of the Sudan at present, as compared with the condition of the Sudan under Mahdist rule, is the most striking example of all. In the same way, Panama has benefited immeasurably from every standpoint by the presence of Americans on the Isthmus. Any arrangement which had guaranteed Algeria against the French, or Turkestan against the Russians, or the Sudan against the English, or Panama against the Americans, would have been an arrangement against the interests of humanity and civilization, and against the interests of the natives of the countries themselves.

Moreover, if there must be interference for the sake of the country itself, to promote its growth in order and civilization, actual experience has shown that such interference can only come efficiently by one nation, and not by many. Untried theorists, or even practical men who are influenced by national jealousy and are untaught by the lessons of history, have a curious fondness for trying a system of joint interference or joint control: Americans forget, for instance, that we have actually tried this system and found it completely wanting, in the case of Samoa. We made an arrangement with England and Germany by which there was a joint protectorate over Samoa. The system worked wretchedly. It resulted badly for the natives; it was a fruitful source of bickering among the three Powers. Then we abandoned the system, each Power took its own sphere, and since then we have gotten along admirably; the only trouble in connection with Samoa which arose during my entire administration as President came because we were not able to grant the earnest request of the natives that we should take real and complete possession of our part of the islands and really regulate the government instead of leaving it so much in the hands of the native chiefs.

In the case of the Philippines, there were just two things that we could do which would have been worse than leaving them under Spanish rule. One of these would have been to turn the islands adrift to manage themselves. The second would have been to try to manage them by a joint arrangement of various Powers. Any

such arrangement in the case of as rich and valuable islands as the Philippines would very possibly have led to war between the great Powers. It would have certainly led to jealousy, bickerings, and intrigue among them, would have held the islands back, would have prevented any development along the lines of progress and civilization, and would have insured an endless succession of devastating little civil wars.

When all that is necessary as regards a small State is to protect it from external aggression, then the great Powers can with advantage join to guarantee its integrity. When anything more is necessary to try to develop the people and civilization, to put down disorder, to stop civil war and secure justice, then a combination of Powers offers the worst possible way of securing the object sought to be achieved. Indeed, under such circumstances it is probably better for the State concerned to be under the control of a single Power, even though this Power has not high ideals, rather than under the control of three or four Powers which may possess high ideals but which are put into such an impossible situation that they are certain to be riven asunder by jealousy, distrust, and intrigue, and to do damage rather than good to the people whom they are supposed to protect.

THEODORE ROOSEVELT.



READING FOR EVERYBODY

In the old days of dime novels and the later days of the badly printed "libraries" in which English fiction was reproduced in bad type and on wretched paper, one used to hear the wish expressed that sound literature could be put before the common people in good form and at moderate prices. Various attempts to bring this about were even then made, but they were quite limited in their scope. There are two theories of educating the people through guiding their reading. One is to give them a "list of best books;" the other is to offer them the opportunity to select for themselves what suits their needs. Each of these methods is excellent; but, as Mr. Roosevelt pointed out in a recent editorial in *The Outlook*,

there "are many thousands of good books; some of them meet one man's needs, some another's; and any list of such books should simply be accepted as meeting a given individual's needs under given conditions of time and surroundings." The more comprehensive the plan the better, therefore, provided it be in fact a plan and not a mere outpouring of reprints. Recently, under the exactly apt title of "Everyman's Library,"¹ such remarkable results have been accomplished in this direction that the undertaking deserves wide and generous recognition. Under the general editorship of Mr. Ernest Rhys, a well-known critic and man of letters, there have been issued in England and America no less than four hundred and fifty little volumes, costing only thirty-five cents each, neatly bound, decorated but not over-decorated, perfectly clear in type, and reasonably good in paper. The library will soon reach five hundred volumes, and then a second series of equal number will begin. The latest installment of fifty volumes, just issued, contains such varied titles as, for example, Montaigne's "Florio," Plutarch's "Lives," "John Woolman's Diary," Gibbon's "Decline and Fall of the Roman Empire," Adam Smith's "Wealth of Nations;" and, in fiction, specimens of the work of Dumas, Dickens, Charlotte Brontë, Hugo, John Galt, Thackeray, and a few little-known writers of stories such as Aimard, the "French Fenimore Cooper." Taking the entire Library as it stands, it may claim in large measure to fulfill its announced purpose of "bringing the great and live literature of all time fairly within every man's reach." The publishers tell us that, while scholars have recognized such achievements as the including of Hakluyt's Travels and the Koran, letters of praise and suggestion have come from native students in India, workingmen in north-country fitting-shops and factories, and even from small provision dealers who have written on the back of a grocery bill, and from sailors who have written in the fo'c's'le.

Such an enterprise, planned on a large scale and constructively, is a service to humanity. It provides entertainment and encourages learning. It is a pleasure

to recognize its positive success and continual extension. The man of slender means may through it obtain "a little library growing larger every year;" and one, too, which should represent his own growth in taste and knowledge.

THE POWER OF THE PRESIDENT

The Outlook has declared its belief that it is the duty of the President, and therefore of every executive officer under the President, not merely to do that which the law commands, but also to do everything possible for the public welfare not prohibited by law. To this doctrine exception has been taken by some newspapers and some correspondents. There will be found on another page two of these criticisms, one by a member of the bar, the other by the Buffalo "News." They may be taken as illustrative of other similar criticisms. To the doctrine as laid down by The Outlook four objections are presented. That doctrine is said to be:

1. Inconsistent with the Tenth Amendment to the Constitution.
2. In violation of its general spirit.
3. Without any legal authority.
4. Perilous to the liberties of the people and the stability of the Republic.

We consider these objections separately and in this order.

I. The Tenth Amendment to the Constitution provides that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people." This Amendment has nothing whatever to do with the doctrine laid down by The Outlook that it is the duty of the President to do everything possible for the public welfare not prohibited by law. This principle was laid down in defining the right and the duty of the Executive to protect the rights of the people of the United States in the property which belongs to the Federal Government. No one supposes that the power to protect the property of the Federal Government is reserved to the States; no one questions that it is the duty of the Federal Government to protect such property. The only question is

¹ E. P. Dutton & Co., New York.

whether the President has a right, as the Chief Executive of the Nation, to take whatever action is necessary for that purpose without waiting for specific authority from Congress. That question the Tenth Amendment to the Constitution does not even remotely affect.

II. It is said that the Government of the United States is a Government of law, not of men; that the powers of its officers are limited and defined by the Constitution; and that we are proposing to give to the President extra-Constitutional powers.

This is not the case. We are not proposing to give to the President any powers which the Constitution does not give to him. We only propose to interpret, according to well-known and generally accepted rules of interpretation, the clause of the Constitution giving him power. The Constitution provides (Article II, Section 1) that "the executive power shall be vested in a President of the United States of America." What does this mean? It means, according to a well-recognized rule of interpretation, not only of law, but of all literature, what the words themselves, in the usage of the men of that time, meant; and the words "executive power" meant to the framers of our Constitution all those powers which are ordinarily intrusted to the Chief Executive of a free people. We have already pointed out that this is the view taken by such historians as John Fiske and such publicists as James Bryce. We are not, however, left to modern interpreters of this phraseology. In the eighteenth century John Locke, who has been well called "the interpreter of the Revolution," wrote "Two Treatises on Government," in which he defined the phrase "executive power" in the following paragraph:

Where the legislative and executive power are in distinct hands, as they are in all moderated monarchies and well-framed governments, there the good of society requires that several things should be left to the discretion of him that has the executive power. For the legislators not being able to foresee and provide by laws for all that may be useful to the community, the executor of the laws, having the power in his hands, has by the common law of nature a right to make use of it for the good of the society in many cases where the municipal law has given no direction, till the legislative can conveniently

be assembled to provide for it; nay, many things there are which the law can by no means provide for, and those must necessarily be left to the discretion of him that has the executive power in his hands, to be ordered by him as the public good and advantage shall require.¹

This doctrine of executive power was familiar to the framers of the Constitution. It is clear, from a reading of their debates, that it was with this significance the words "executive power" were used by them. It was proposed in the Convention to provide in the Constitution that the Executive should "execute such other powers not legislative nor judicial in their nature as may from time to time be delegated." This proposal was negatived; and in place thereof was substituted the general language of the Constitution—"the executive power shall be vested in a President," a fact which makes it clear, if evidence were needed, that the framers of the Constitution meant to intrust to the President of the United States, not merely such executive powers as from time to time Congress might delegate, but that general executive power to safeguard the public welfare which John Locke has described, and which experience proves must be delegated to some responsible head.

The Constitution, in addition to this general provision, confers upon the President of the United States certain special powers. He is made Commander-in-Chief of the Army; has power to grant reprieves and pardons; is given power, with the advice and consent of the Senate, to make treaties, to appoint ambassadors or other public ministers, etc.; is directed to give information to Congress from time to time of the state of the Union, and to recommend measures for their consideration; to receive ambassadors and other public ministers; and "to take care that the laws be faithfully executed." It is impossible to suppose that these are all the duties and powers of the President. These are powers which, being conferred by the Constitution, Congress cannot take away from him. Congress cannot interfere with his command of the army, nor by legislative action grant reprieves or

¹ John Locke: *Two Treatises on Government*. Quoted in Thayer, "Cases on Constitutional Law," Vol 1, p. 33.

pardons, nor make or interfere with the making of treaties by him with the concurrence of the Senate, nor appoint ambassadors or other public ministers, nor determine what ambassadors or other public ministers shall be received by the President, nor limit his power to see that the laws are faithfully executed. In other words, these provisions limit the power of Congress over the President; they do not limit the power of the President as the Chief Executive of the Nation.

III. It is said by some of our critics that there is no legal authority, and it is implied that there is no precedent, for the doctrine that the President may do everything possible for the public welfare not prohibited by law. Our correspondents are in this respect mistaken. There are both historical precedent and legal authority for the doctrine of The Outlook.

The Constitution gives no explicit authority to the President to remove from office, but it is constantly exercised. At one time his right to remove was questioned, and it was maintained that, since he appointed only with the consent of the Senate, the consent of the Senate was necessary to removal. During President Cleveland's Administration he was called upon to give the Senate the reasons for removals which he had made. He refused, and based his refusal, not upon any specific clause in the Constitution giving the President authority to remove, but upon his general executive power. President Cleveland said in his Message to the Senate: "I believe the power to remove or suspend such officials is vested in the President alone by the Constitution, which in express terms provides that 'the executive power shall be vested in a President of the United States,' and that 'he shall take care that the laws be faithfully executed.'" This reasoning has never been successfully controverted, and the right of the President to suspend or remove officers whenever, in his judgment, the public welfare demands is no longer disputed. The Constitution does not in explicit terms give the President power to refuse to receive ambassadors, but his right to refuse to receive ambassadors has, we believe, never been questioned; it is, at all events, undoubted. He has no right to declare war, but his right to repel inva-

sion has been explicitly recognized, and will hardly be called in question by the most strict of constructionists. It is true, as our correspondent points out, that the clause quoted by Mr. Garfield from Chief Justice Marshall, and reported by us, in which the Chief Justice declares that means not prohibited by the Constitution, and plainly adapted to the ends it has in view, are Constitutional, referred specifically to the powers of Congress, but it applies even more evidently to the powers of the Executive. The powers of Congress are defined in considerable detail, while the powers of the Executive are really not defined at all. The same principle was laid down in similar terms by the Supreme Court of the United States in the case of *Marbury vs. Madison*, and was there applied to the President's powers:

By the Constitution of the United States the President is invested with certain important political powers, in the exercise of which he is to use his own discretion, and is accountable only to his country in his political character, and to his own conscience. To aid him in the performance of these duties he is authorized to appoint certain officers, who act by his authority and in conformity with his orders."¹

But we are not left to deduce the judgment of the Supreme Court of the United States respecting the power of the President over the public lands from such enunciation of general principles. That Court has stated that power in explicit and unmistakable terms:

The United States is the owner of millions of acres of valuable public land, and has been the owner of much more which it has sold. Some of these lands owe a large part of their value to the forests which grow upon them. These forests are liable to depredations by people living in the neighborhood, known as timber thieves, who make a living by cutting and selling such timber, and who are trespassers. But until quite recently, even if there be one now, there was no statute authorizing any preventive measures for the protection of this valuable public property. Has the President no authority to place guards upon the public territory to protect its timber? No authority to seize the timber when cut and found upon the ground? Has he no power to take any measures to protect this vast domain? Fortunately, we find this question answered by this Court in the case of *Wells vs. Nickles*, 104 U. S., 444. That was a case in which a class of men appointed by local land officers, under in-

¹ Quoted in von Holst's "Constitutional History of the United States," Vol. II, p. 64.

structions from the Secretary of the Interior, having found a large quantity of this timber cut down from the forests of the United States and lying where it was cut, seized it. The question of the title to this property coming in controversy between Wells and Nickles, it became essential to inquire into the authority of these timber agents of the Government thus to seize the timber cut by trespassers on its lands. The Court said: "The effort we have made to ascertain and fix the authority of these timber agents by any positive provision of law has been unsuccessful." But the Court, notwithstanding there was no special statute for it, held that the Department of the Interior, acting under the idea of protecting from depredation timber on the lands of the Government, had gradually come to assert the right to seize what is cut and taken away from them wherever it can be traced, and in aid of this the registers and receivers of the Land Office had, by instructions from the Secretary of the Interior, been constituted agents of the United States for these purposes, with power to appoint special agents under themselves. And the Court upheld the authority of the Secretary of the Interior to make these rules and regulations for the protection of public lands.¹

IV. Is this doctrine, that the President has power to do whatever is necessary for the protection of the public welfare, without waiting for direction from Congress, perilous to the liberties of the people and the stability of the Republic? On the contrary, more than once in our history the Nation has been preserved from serious peril by the exercise of such undefined powers, and at least once in our history its very existence was threatened because a timid President, who held himself bound by a strict construction of the Constitution, refused to do what was necessary for the public welfare because he was not specifically obligated so to do by either special statute or special Constitutional provision. When the integrity of the Nation was threatened by nullification devised by Mr. Calhoun and adopted by South Carolina, the proclamation of Andrew Jackson, though couched in courteous and impersonal terms, left no doubt on the minds of the Nation that he would use all the powers of his office, including, if necessary, those of Commander-in-Chief of the Army, to enforce the law, and the threatened nullification was unaccomplished. There was no specific

provision of the Constitution and there was no act of Congress authorizing Abraham Lincoln to issue his Emancipation Proclamation. It was Constitutional in the view of Lincoln simply because the President of the United States is intrusted with the executive power of the Government, and because as Commander-in-Chief of the Army of the United States he has a right, in time of war, to do, not what he is specifically required to do, but everything that is necessary to be done to carry the war to a successful issue and so promote the public welfare of the Nation. There was no specific provision in the Constitution and there was no specific statute of the United States authorizing President Cleveland to send troops into the State of Illinois to prevent the obstruction of the mails, and his Constitutional right so to do was vigorously protested against by the Governor of the State. But no act of Mr. Cleveland's Administration in either term of office has been more generally commended than this exercise of his general executive power to promote the public welfare. On the other hand, when in 1860 certain States undertook to secede from the Union, we had a President who held that no State had a right to secede, but he also held that, since the Constitution conferred no power upon either the President or Congress to make war upon any State, he had no power to prevent the secession. It is at least a fair question whether the Confederate War would ever have taken place if Andrew Jackson had been in Mr. Buchanan's chair. It is certain that the war would have reached no such magnitude nor extended over so long a period. Great perils have come to this Nation from the failure of the Chief Executive to exercise for the public welfare the general executive power conferred on him by the Constitution. No peril has ever yet threatened the country because of the exercise of such power. The perils which our correspondent dreads from the adoption of The Outlook's interpretation of the Constitution are purely imagined perils; the perils which have threatened the Nation from the adoption of the opposite view have been real and great.

The question whether the President is the servant of Congress and clothed with

¹In re Neagle, Supreme Court of the United States, 1890. From Thayer's "Cases on Constitutional Law," p. 341.

executive power to do what Congress bids him do, or is the servant of the people to do whatever in his judgment is necessary for the public welfare in the exercise of his executive power, except as he is prohibited either by the Constitution or by the law, is vital and fundamental. The language of the Constitution and the interpretation given to that language by contemporaneous literature, by the Constitutional debates, by the practice of successive Presidents under the Constitution, and by the explicit language of the Supreme Court of the United States, abundantly justifies our affirmation "that the Executive is unquestionably, with Congress, the representative of the people, and is empowered to exercise for the people all the functions that in free popular government are exercised by the Executive Department." In our judgment, philosophy and history combine to demonstrate that the perils to the Republic from a weak Executive are real and serious, and that there are no perils to the Republic from a strong Executive so long as he is directly responsible to the people for his actions, and so long as the press and the public are free to report and to criticise his acts.



DIRECT NOMINATIONS

"Let me do the nominating, and I care not who do the electing." That might well serve as the motto of the commercialized political boss. If the voters in their choice for public officers are restricted to such men as selfish interests pick out, they have little incentive for exercising the suffrage. It is not true that in this country voters are thus restricted altogether. The election of such a man as Governor Hughes makes that clear. It is true, however, that the voters are very largely so restricted. When the members of a party have only the nominal right to choose delegates to choose delegates to choose candidates from whom they can make their choice, they are far removed from any position of real authority, and they have little chance for holding anybody responsible for results. They are not enjoying the benefits of representative government; they are bearing the burden of misrepresentative politics. It is still an American problem how to establish and

develop in this country real representative government; it is to the interest of the boss to see that government is representative only of those interests which make it profitable for him. The struggle for Direct Nominations is but a struggle to secure a larger degree of really popular representative government.

In New York State Governor Hughes has discerned this truth. He found the people of the State disgusted with the machine politics of both parties. Like a statesman, he did not wait to find out what the people demanded, but set himself to study what caused the people dissatisfaction. And having discerned the weakness in the political structure, he pointed out the way to reinforce it. This was by Direct Nominations. In other States, however, where Direct Nominations had been adopted, there appeared other weaknesses. In some places party responsibility had apparently been diminished; in others the political machine exerted influence and power through disguise; in others one party could nullify the real intent of another party. So Governor Hughes and his advisers set to work to devise a structure that would be free from these weaknesses. The final product was the Hinman-Green bill.

The principle of this bill is comparatively simple. The voters of a party themselves directly choose, by petition, their party committees. These party committees, besides being responsible for the conduct of party business, are also responsible for suggesting party candidates. If for any reason any candidate they suggest, or "designate" (as the word is), is not satisfactory to any considerable number of party voters, another candidate may be suggested by these voters, and the choice between the suggestions for nomination can then be decided by the whole number of the party voters concerned. The final choice, therefore, comes directly upon the party voters; but preliminary work must be done by the regular party committees, and may be done by any group of volunteers. By this means not only is liberty granted to the rank and file of the party, but the responsibility of the party organization is secured, the actions and preferences of the party leaders are brought into the

open, and no party can interfere with the concerns of another.

Here, then, is the essence of the Hughes form of Direct Nominations. In the principle of this plan The Outlook very thoroughly believes. How that principle should be applied it regards as a matter of secondary consideration. To what offices it should be applied it regards as a question of high, but not of the highest, importance. What is important is the principle that the voters of a party should choose their own committees, hold those committees responsible for results, and have the power to annul the choice of candidates made by those committees and substitute others if they wish.

The Hinman-Green bill applied this principle to nominations for virtually all elective officers except the most local on the one side and Presidential electors on the other. That bill was defeated. Another bill, however, known as the Cobb bill, embodies exactly the same principle. The only practical difference is that the Cobb bill does not apply the principle to nominations for so many offices. It does apply it, however, at least to nominations for Congress, for county offices except in New York municipal campaigns, and, most important of all, for the Legislature. If it applied the principle to candidates for the Legislature alone, it would still be in effect a fundamental reform. The principle of Direct Nominations could be safely intrusted to a Legislature chosen according to the Direct Nominations principle.

Governor Hughes has done right to call the Legislature into extraordinary session to deal with this question. His own election after a campaign for Direct Nominations, and in the face of the opposition of his own party's bosses, was sufficient proof that the people of New York are determined to see that the party bosses be translated into party servants. And it is the business of the Legislature to see that the translation is accomplished. Any attempt on the part of legislators to evade their duty will invite political punishment; on the other hand, every vote in the Legislature for the Hughes Direct Nominations principle will be accepted by the people as a sign of good faith. The Republican party is on trial in New York State. If it fails, it can only blame itself

if the people of New York should call another to its stewardship.

THE SPECTATOR

The Spectator has lately been reversing all his previous conceptions of apple culture and apple orchards and learning new lessons from the growers of the fruit in the valley of Hood River, Oregon. This little valley, running south from the Columbia River, is only twenty miles long and five wide; hemmed in at the east and west by two mountain ranges, the land gradually rises from the river toward the southern extremity, where Mount Hood stands as a snowy sentinel over eleven thousand feet high. It is only a quarter of a century since this locality has been given up to the culture of fruit, and in that time it has been proved that the climatic conditions and soil are best adapted to the raising of apples, so to-day the fame of Hood River apples extends into all the markets of the East, as well as into foreign countries, even as far as China and Japan.

Oregon boasts of having a greater variety of industries than any other State in the Union. Along the coast and on the Columbia River the fishermen reap their harvest; the vast forests of the interior add millions to the timber wealth of the world; the coast country is unsurpassed for its dairy products, while the hop production is greater than in any other State; fruit culture has been carried on successfully in southern Oregon, while eastern Oregon has been the domain of the bonanza wheat farmer. With all these numerous and varied resources there has been almost no "specializing" among the people. Each man has worked at many trades, and each patch of land has produced grain, fruit, and vegetables, with no system as to the planting, improving, or marketing of the products. It has been left to Hood River to "specialize" its fruit, and apples are grown according to methods gained by study and experience, and are marketed under a system so perfect as to insure a ready sale to distant dealers.

It is with reluctance that the Spectator merges his remembrance of the old-time

apple orchards into those of his present vision. In place of the wide-spreading tree, with its gnarled, low-lying branches, the Spectator sees an upright, dapper little tree, with but scanty shade for the lounge beneath it, were he inclined to stretch himself upon the ground. The Spectator looks for the carpet of green grass which covered the orchard of his childhood, and sees only the bare earth. No quiet restfulness about *these* orchards; no chance for one to hide himself in a lofty perch above or lie on the grass below and dream the time away while watching the fleeting shadows from his resting-place. *Here* all is ceaseless activity and untiring industry; the only dreaming done relates to the size of the apple crop or the new house or automobile to which the proceeds may be applied.

The Spectator must also renounce his vision of the piles of apples on the ground as well as the classified apple-bins in the cellar, nor can he see the well-filled barrels waiting to be carried from orchard to store. Commodious apple-houses are a necessary adjunct of all farms here, and there the fruit is stored, graded, and packed for transportation. When investigating the apple-house of his host, the Spectator was so unfortunate as to ask if that was the place where the apples were dumped. "Dumped!" the irate host exclaimed; "our apples are *never* dumped; they are brought in boxes from the orchard, and if a picker or packer happens to drop one to the floor or ground, *that* apple is cast out as 'dead fruit,' and is unsalable." He then explained that the apples are sorted into kinds and sizes, the Spitzenburg and Jonathan Newtown being the "commercial apples." There are four sizes of apples, running from fifty-four to one hundred and twenty-eight in a box, the same number of a certain size being in each box. No grower is allowed to pack his own fruit; professional packers are sent from the "Growers' Union," that organized body receiving bids from dealers, transporting apples as required, and making returns to the growers.

The trees, which are planted twenty-five feet apart, do not bear for five years. Up to the bearing period the intervening

ground space can be given up to the culture of small fruits, but that must be abolished when the trees commence to bear. The ground is then constantly worked with plow, harrow, and other implements outside the Spectator's vocabulary, until not a weed or a blade of grass can be seen in all the vast expanse of orchards. The process of "thinning" the apples was of great interest to the Spectator, and he questioned if the thrifty Yankee farmer could stand by the law of "the survival of the fittest," and pluck out the "ninety and nine" apples that the remaining one might come to larger and more perfect fruition. Of course the Spectator takes that per cent as a mere simile, though as an actual fact 2,400 apples were taken from one tree, only 1,200 being left to mature. The spraying of the trees for pests is carried on unceasingly; as a result, wormy apples are almost unknown. An authentic record states that in two thousand boxes from one orchard only sixty wormy apples were found.

The Spectator has lingered on the commercial side of this apple-raising country, as it is that side which has attracted capitalists, professional men, and college graduates to try their hand at fruit culture and country living, but aside from the perfect apples which have given the valley its fame, there are scenic attractions which would cause one to linger here. But he who lingers is lost, and straightway buys an orchard and devotes himself to the raising of apples. He cannot help it; the very air is charged with apples; the theme of all conversation is apples; the apple orchard is ever before one's vision, and it is a strong man who can resist the call.

The Spectator has found only one fly in this almost perfect ointment—the "off years," when the crops are discouragingly small, for neither study nor experiment has yet been able to produce uniform results every year. When Nature becomes so prodigal that she requires no seasons of rest and each year is one of harvest, then will the millennium have come for the apple industry of Hood River.

DOES IT PAY TO WORK FOR THE GOVERNMENT?

BY FRANCIS E. LEUPP

DOES it pay to accept civil employment under the Federal Government?" An anonymous contributor to the "Atlantic Monthly," described as a former Government officer who suffered a bitter experience, asks this question and undertakes to answer it in the negative. Cleverly as he has stated his case, he leaves it plain that no sweeping answer can be given to such a question.

Whether it pays to serve the Government depends on the aims and attitude of the servant. From the point of view of the bank account it does not "pay" to marry for love, or rear a large family, or take care of one's parents in their old age; it does not "pay" for an employer to show his friendly interest in the comfort of his help outside of business hours, or for his help to seek means of making themselves profitable to him beyond the scope of their contracts. Yet some of us behave as if we did not realize the seriousness of these economic follies.

The fact is, in order to judge whether any course of conduct pays, we usually balance its good against its bad effects and see which group outweighs the other; and in this process we are continually reminded that there are some values which cannot be expressed in dollars and cents. Satisfaction is one of them.

For present purposes we may divide the Federal civil service into five classes: The political, embracing the President and Vice-President, the Cabinet members, and a few others who are called into it because they are party leaders deserving of extraordinary distinction; the professional consisting of the judiciary, the scientific and technical experts, and the like; the directive, composed of the chiefs of bureaus, who handle the machinery of administration and are held responsible for its successful operation; the clerical, who keep the accounts, write the letters, file and index the records, and perform, under instructions, other duties requiring an

educated intelligence; and, finally, the manual, ranging from the messengers, through a long list of mechanics and laborers, to the charwoman whose only duty is to wield the broom for an hour or two a day.

Any man fit to belong in one of the first three classes can make a good deal more money outside of the Government service than in it. The clerical salaries correspond fairly well with those paid for similar work, similarly performed, in private employ. The compensation of the manual class far exceeds that commanded by the same services outside. We may therefore dismiss this class from further thought. Neither need we dwell on the group at the other extremity of the scale, whose rewards are bound to consist largely in the sense of present power, the fascination of counseling over the affairs of a Nation of eighty million souls, and the possibility of figuring in history. The professional group, by the very nature of their intellectual bent, are more eager as to accomplishment than as to swelling their incomes, and the assurance of a larger field of effort here than they could possibly find in private life makes up to them in no small degree for seeing their work outstrip their stipends.

So we come down to the question whether it pays to serve the Government in either of the other two classes. To one who has known Washington as I have for thirty years, a great deal that is written about the clerical civil service is amusing reading. A "graveyard of noble ambitions;" a "ruthless extinguisher of genius;" a "tribunal where originality is punished by dismissal;" a "donjon-keep in which potential statesmen are left to gnaw their hearts out in obscurity;" these are sample metaphors in daily use, but let no sentimental reader be moved to tears by them.

As organized and conducted now, this service offers the young man of ordinary

powers, but no private fortune, as pleasant an opening to life as any I know of. He need not have the ghost of a "pull," or a single friend at court, the only key to admission being his success in a competitive examination. Once enrolled, what he makes of his opportunities depends here, as it depends outside, on his ability, his resourcefulness, his tact, his industry, his initiative, and his sense of proportion. If he lacks any of these qualities, or fails to bring the right one into action when some crisis demands it, he suffers the same fate that he would if he were in a railway office or a bank. His position is as secure as it would be anywhere, the better clerk he is, the harder his chief will strive to keep him—not from motives of altruism, but for reasons of self-interest.

Sometimes appropriations fail, or a spasm of ostentatious frugality may follow the rise of a new party to power, and then come a number of dismissals. So do misfortunes occur in private business, involving sudden and sharp contractions in a pay-roll. Where the Government clerk has an advantage over the private clerk, however, is in the energy with which every Federal Department sets itself instantly at a hunt for vacancies for the unfortunates; and I cannot recall such a struggle of generosity in any private industry when single plants have become embarrassed.

And as to the future: Is a clerk who serves the Government faithfully for many years assured of promotion to a position of command when one falls open? No; the efficiency of a clerk is not a question of seniority, but of adaptability and temperament. Not a few of the most valued clerks in the service to-day have been there only a little while. They began by making a painstaking study of the tasks set them, and, being unhampered by the superstition that old ways of doing things are necessarily the only ways or even the best ways, brought in modern methods from the outside world. This is not said in disparagement of the veteran clerk, who may save the Government his salary many times over by the exercise of his memory alone, and whose very conservatism proves often an admirable brake when the zeal of the fresh recruits threatens to run away with them: but if the Govern-

ment's working force were made up entirely of veterans, no matter how loyal, all progress would halt.

Have the new and clever men, then, a future? They have the same opportunity that everybody else has. One, here or there, may be shrewd enough to recognize the flood-tide in his affairs, as Mr. Cortelyou and Mr. Hitchcock recognized it in theirs. Another, having made for himself a place in his division, receives an offer from some manufacturer or contractor doing business with the Government, who has been impressed by his manner of looking out for the interests of his present employer. If he declines it and later discovers that he made a mistake, he can blame only his own false perspective, precisely as if, while working for an insurance company, he had refused to leave it for a real estate office, and had suffered by his error of judgment. If he is energetic and courageous, however, the chances are that he will accept the outside proposal, and be thankful to the Government for affording him the stepping-stone.

Again, many young men wish to become lawyers or physicians or engineers, and enter the service because it will assure them a living while pursuing their studies, and, with economy, provide a small surplus to tide them over the interval of drumming up practice. The professional schools of Washington have evening classes for the benefit of such students. Hence, between the specially clever element who leave in response to private solicitations and those who seek clerkships originally for the sake of preparing for an independent professional start, there is a wholesome change of blood continually in progress in the service. The constant residuum is made up chiefly of the clerks who, lacking some positive quality which is demanded in the wider work of the world, or self-confidence enough to risk a trial of their powers, would have risen to no greater heights if they had remained in private life.

There is still a contingent, numerically small, but too important to be passed over in such a summary, of clerks who remain clerks because they are wedded to their work and are perfectly happy in it. Within the last few years two members of the Treasury staff have died, either of

whom could have commanded double or treble his salary in the outside business world; but neither of whom could have been lured away at any price. In their own small realms they were supreme, and they knew their worth. Congress would have been stalled in its efforts to prepare certain legislation without their aid, and recognized its obligation in the case of one, if not of both, by honorable mention in appropriation acts carrying their salaries. What has been said of these two men may be said of a number of others who have passed away and of a few who are still at their posts.

Of all the clerical types reviewed in the foregoing paragraphs, the only one from whom you could get a downright assertion that it does not pay to serve the Government is he who, for reasons other than his own preference, stays in the stagnant stratum while the higher strata are passing out; and that one would find the same fault wherever he might be. We pass, therefore, to the directive class.

The bureau chief is appointed by the President with the consent of the Senate. In old times it was customary to utilize offices of this rank as consolation prizes for politicians who had aspired to higher honors but had been unavoidably omitted in the distribution. More recently, and especially under President Roosevelt, we have seen political considerations waived in order to procure men who had already studied the particular questions which would come before them in their official capacity. What he began President Taft seems to be trying to continue, so that I cannot help believing that, in spite of exceptions which will occur to every one's mind, the general rule is coming to be recognized as not only a wise but a more and more necessary one. What I cannot understand is the statement of the "Atlantic" writer that changes in bureau chiefs have been frequent during the last ten years, and his citation, in proof of this, of the Commissioners of Patents, Pensions, Labor, Indian Affairs and Immigration, Comptrollers of the Currency, and Directors of the Census. Let us see.

How long the men now filling these seven offices will remain in charge of them of course no one can forecast; but their immediate predecessors certainly had

terms of service abundantly long to carry their work far forward. Mr. Allen was appointed Commissioner of Patents in 1901; Mr. Warner, Commissioner of Pensions in 1905; Mr. Wright, Commissioner of Labor away back in President Arthur's time. Mr. Jones as Commissioner of Indian Affairs served nearly eight years, and I followed him with four and one-half. In every case the successor now in office was an assistant and confidential adviser of the retiring Commissioner. One resignation was to accept a college presidency; a second on account of illness; the rest were due to the pressure of private business. None was because of disappointment in the position.

By the Commissioner of Immigration, I suspect our critic means the Commissioner-General; if so, Mr. Sargent, appointed in 1902, died at his post. Mr. Ridgely, who became Comptroller in 1901, remained some seven years, and then accepted the presidency of a bank. Mr. North, who retired in 1909 as the result of a controversy with the new head of his department, had been Director of the Census since 1903. Such a group of illustrative cases seems to me, on the whole, destructive rather than helpful of the argument it was cited to support.

Much that is told of the vexations which sometimes beset a bureau chief is true, I dare say. I can conceive that one who knows his business but whose Secretary does not may suffer from overwork when he divides his time between giving orders to his subordinates and kindergarten lessons to his superior. I can fancy his exasperation if his Secretary appropriates all the credit for his successes and dumps upon him all the blame for his mistakes. If the committeemen in Congress who pass on his budget are suspicious or actually hostile; if applicants for favors are always ugly when good conscience compels him to deny, and ungrateful when he is able to grant, their requests; if the lieutenants upon whom he leans prove weak or treacherous, he is hardly to be condemned if now and then he is overwhelmed for a moment by a wave of discouragement.

A phlegmatic creature without ambitions of the worthier sort can sit in his

office day after day from nine till half-past four, surrounding his head with smoke-wreaths and trusting to the honest clerks who prepare his letters to steer him clear of scandals; and it is easy to believe that he will find public service disappointing when he discovers that this reign of indolence cannot go on forever. On the other hand, one of erratic temper, easily upset by petty worries and cheap criticism, thrown off his balance whenever he cannot get all he wants from Congress, impatient of cautious counsels from those below him or catechetical inquiries from those above, and thirsting for perpetual flattery, will be hard to convince that anything in the Government service is worth the time spent on it.

Heterodox as it may sound, no man ought to assume public responsibilities unless he is so fortified in a worldly way as to be independent of his official salary in case its immediate relinquishment be demanded by duty or self-respect. Neither ought one who cannot face opposition calmly, or who is too vain to compromise on a measure involving no question of right and wrong. But then such a man is equally unfit to succeed in any private enterprise of magnitude.

These points settled, to any one who has distinct plans to carry through, a love of constructive work, good courage, enough tact to get along comfortably with his associates, and a stock of self-confidence which will enable him to stand twenty repulses for the sake of one triumph, a position of practical authority under the Government ought to offer strong attractions. The sense that he is doing his share toward solving the big

problems which confront our people, that he is helping to direct the course of this republic for ages to come, even though his individual part be but the blazing of one narrow trail, is enough to thrill any heart that pumps its quota of good red blood. The duties may be wearing, the harassments many, the financial rewards absurdly disproportionate to the burdens shouldered; it may mean a temporary lull in a promising business career; but if the chance to do a live man's work for a live man's country counts for its full value, the citizen who can do the work will not reject its call.

Grant that the sole accomplishment to which he can look back afterward consists in the reorganization of one bureau for its highest efficiency by finding out what each person in it can do best and setting him at that, reducing to a minimum the friction between his lieutenants and teaching them to enjoy good team work, stimulating the rank and file to think as well as obey, discovering modest merit and opening paths for its advancement, substituting thrifty for wasteful methods of business, and putting the mere routine on such a basis that it will thereafter largely run itself, he need not feel that his sacrifice of a few years of money-getting has been thrown away.

If the world knows all he has done, it is pleasant, of course; but if not, he has at least the satisfaction of knowing it himself. And as his old assistants follow him into his retirement with news of the fruition of one and another of the reforms he planted, he must be apathetic indeed if he cannot write across the balance-sheet of his experience, "Account closed and profits distributed."

THE SPIRIT OF DEMOCRACY

BY LYMAN ABBOTT

A SERIES OF ARTICLES IN WHICH THE AUTHOR CONSIDERS THE EFFECT OF DEMOCRACY IN THE FAMILY, IN EDUCATION, IN INDUSTRY, AND IN GOVERNMENT¹

THIRD PAPER

IN THE FAMILY—THE PAGAN IDEAL

MR. ZANGWILL has characterized America as a "Melting-Pot." Not merely various races, nationalities, and religious sects are thrown into this melting-pot, but, no less, conflicting ideas and ideals. All creeds, traditions, theories, institutions, are brought into the laboratory by democracy to be analyzed. In this process the more radical and revolutionary the reformer, the more sure he is of a hearing. Curiosity is agog, and the more novel the hypothesis, the more eager we are to know what it is. The experience of the past counts for little, partly because the modern reformer is often ignorant of the past, partly because in his eager and impatient haste for change he regards the convictions of his ancestors as valuable only because they show him what to avoid.

The family is the oldest and the most sacred, as it is the most fundamental, of all social organisms, but the family is not exempt from this process of reinvestigation. There is no possible question about the family which is not asked, no possible change in the family which is not proposed.

Ought the family to be one husband and one wife, or one husband and several wives? Polygamy is no longer a relic of ancient times. It has reappeared on American soil in an ecclesiastical organization which absolutely dominates politically one State and holds a balance of power in at least one other State. Philosophers have sometimes excused polygamy as an economic necessity in the earlier stages of society. Jesus explained its permitted existence in the Hebraic Commonwealth as a concession to human passion. But

Mormonism has glorified polygamy as a divine institution, has urged it upon women as a condition of future canonization, if not of future salvation. Whether the canonization or the salvation which several women get by marrying such a single husband as they usually get under such a system is worth the price it costs them is a doubtful question. If it be true that polygamy is decreasing, or has even absolutely ceased, the fact is due, not to a conversion from the Mormon faith, but to a concession to Gentile prejudice. I am not aware that polyandry, or the marriage of one woman to several husbands, has been seriously proposed in America. We are grateful to the reformers for that; but I suspect that their reserve is due to the fact that there are not men enough to go around.

What is the nature of the family? Is it a divine organism? or is it simply an economical and social partnership? Do this husband and wife come together to constitute the basic institution on which all society rests? or do they come together for industrial or social advantage? Is this marriage permanent or temporary? Do they marry for "better or worse, for richer or poorer, in sickness and in health, till death us do part"? or do they marry until the wife's fortune is run through, or the husband meets with bankruptcy, or until one or the other discovers faults in the mate before not suspected, or until one becomes an invalid and the other grows weary of the watching, or until some complaisant and convenient court can be found to part these two, who do not need to wait for death? These questions are not put by a satirist or a cynic; they are the questions that actually confront American society to-day. It has been well said by an American humorist that the difference between a

¹ These articles are based on and in part condensed from a series of lectures on "The Spirit of Democracy" delivered by the author on consecutive Sunday afternoons before the Brooklyn (New York) Institute in January and February, 1910.

Mormon and some other Americans is that the Mormon drives his wives abreast and the other drives them tandem.

In the decade ending 1906, 600,593 divorces were granted in the United States of America. For convenience of arithmetical figuring, let us call them 600,000. This would be 60,000 a year. If we grant three hundred working days in the year, and I do not think any court in the United States works as many days as that, the American courts have granted two hundred divorces a day; and if we allow eight working hours for the day, and I think few courts work more hours, the courts have granted twenty-five divorces every hour of every working day for the ten years ending in 1906. Evidently marriage is not very permanent in America.

In marriage what are the relations between husband and wife? Is she simply an upper servant or an agreeable toy? That she is simply an upper servant would seem to be implied by one of the decisions of, I think, a California court, which divorced the husband from the wife because she had failed to sew on his shirt buttons for him. Is she the money-spender and he the money-getter? This would seem to be the idea of a woman whom I heard of in Europe last year. She met a friend, who asked, "Where is your daughter?" "I have put my daughter in a convent school, and I am going to travel." "But where is your husband?" "Somebody has got to stay at home and earn the money!"

Does marriage entail any duties upon the husband other than supporting the wife? Does it entail any duties upon the wife other than living without unreasonable complaints on such support as the husband can provide for her? Or should the wife be the wage-earner and the man be supported by her? This theory is not infrequently exemplified in practice, but since no reformer ventures to defend it in theory, I do not here consider it.

Finally, does parenthood entail any duty upon the parents? Do the father and the mother owe any personal duty to the child whom they have brought into the world? In considerable sections of American society such duty is ignored. By some reformers it is formally denied.

Our industrial system is such that thousands of fathers, working ten or twelve hours a day, rarely see their children except in bed or on Sundays and holidays. A less number of mothers, compelled to eke out the inadequate subsistence earned by their husbands, leave their children in day nurseries while they maintain by their labor their overpraised economic independence. At the other end of the social scale are men and women who are prevented, not by their industry, but by their idleness, from giving any personal attention to their offspring. Such a mother, whose daughter was regularly late at school, apologized to the teacher by saying, "Of course I am never up at half-past eight, when my daughter should be starting from home, and one can never trust one's servants to be punctual." The reformer who proposes that all children should be turned over to experts, that the mothers may be released from the cares of motherhood, only puts into words the method of parental dealing with children which mothers preceding her have put into practice.

Finally, might it not be better to abolish marriage altogether, or have temporary and experimental marriages? One reformer has proposed the latter course. It is due to her, however, to say that she simply suggests that it would be better for the husband and wife to try the experiment for a year, and, if it failed, try again, than to be permanently married and to separate at the end of the year by means of a divorce decree. One so-called reformer urges the abolition practically of marriage altogether. G. Bernard Shaw writes: "What we must fight for is freedom to breed the race without being hampered by the mass of irrelevant conditions implied in the institution of marriage. . . . What we need is freedom for people who have never seen each other and never intend to see each other again to produce children under certain definite public conditions without loss of honor."¹ Recent investigation into the so-called white slave traffic indicates that a state of conditions already exists in certain of our great cities which does not differ materially from G. Bernard Shaw's ideal, and

¹C. W. Saleeby, "Parenthood and Race Culture," p. 179.

which, so far as known, has not contributed to the breeding of a noble, progressive, and promising race. It is true that G. Bernard Shaw is not to be taken seriously, because he does not take himself seriously. He likes to shock us, and I decline to be shocked. But the fact that he gives this message to the twentieth century and the twentieth century listens to it, taken in connection with the serious conditions concerning marriage and divorce which I have already described, is not without significance.

Such are some of the questions which we are to-day asking of ourselves in America concerning the family. Is the family founded on the marriage of one husband to one wife, or of one husband to many wives? If one husband to many wives, should he have them living together in one home, or should he have them in succession, each one in turn departing to make room for her successor? Is the family the social unit on which the organization of Church and State and industry depends, or is it a mere incident in a purely individualistic society? Should marriage be permanent or transient, for life or for the mutual pleasure of the parties? Does the husband owe any duties to the wife? Does the wife owe any duties to the husband? If so, what are they? Do they owe any duties to their children, or may they leave their children to be superintended, nursed, educated, and trained vicariously for them by trained servants, by private benevolence, or by the State? These questions are asked to-day in America, not only theoretically by reformers, but practically by current social customs. On these questions the experience of the past throws some light. What has that experience to tell us?

At first the wife was the slave or serf of the husband. He sometimes had many wives; but polygamy was always rare even in polygamous countries, possibly for the reason that two good wives are more than any man deserves, and two bad wives are more than any bad man deserves or could manage, but really, I think, because economic conditions prevented general indulgence in polygamy. There are few men in Turkey or in Utah who are rich enough to maintain a household with a number of wives. But whether

marriage was polygamous or monogamous, the wife was the serf of the household. There was no contract of marriage, no mutual assenting, no asking "Wilt thou?" or "Wilt thou not?" The bride was captured in war or bought with a price. Even the courtship was founded on this conception of capture, for one ordinary method of courtship was for the woman to run as fast as she could, while the man ran after her until he overtook her. Whether she really did run as fast as she could in all cases the skeptic will doubt. Having once entered into this relationship, she became absolutely her husband's property. He could sell her, he could give her away, he could lay any burdens upon her, impose on her any tasks, could chastise her at will. She was as much his servant as the slave whom he had bought in the market, as absolutely subject to his will as the child that had been born in his family. The marriage thus formed was largely a commercial employment. The wife was taken that she might perform drudgery and toil which the man was reluctant to perform; or she was taken that she might bring to him children, who could be sold in the market if they were daughters, or, if they were sons, used to bring by marriage other women into the household, and so increase the domestic service.

Out of this grew a new experiment. If this commercial and industrial partnership had for its end the raising of children, and these children were an asset of the State, why should not the State undertake the work? why should not the State supervise the marriage? why should not the State determine what man and what woman might marry, what children should be reared, and what children should be preserved? Plato proposed this. He suggested a community of wives and a community of children, with the added suggestion that they should be so brought up that by no possibility should the child know its own mother. When I read Plato, I am always in doubt whether I am getting Plato or Socrates, and when I read the story of Xantippe I think possibly that the suggestion may have come from Socrates, who might well have wished that no husband should know his own wife. This theoretical suggestion of Plato

was put in operation by Sparta. The industrial and economic organization which had been called the family was taken in charge by the State, was put under the supervision and control of the State, and the children were taken from father and mother into the hands of the State. In order to make sure that the State did not enter upon a disadvantageous economic enterprise, the children were brought before triers, and if the child proved to be a feeble child, not likely to do the work of the State, it was promptly put to death. This plan did not, however, work as well for the State as the reformers had hoped it would, for the reformers left out of life then, as reformers have often left out of life since, that which is the most potent force in all humanity—love. Because these Spartans had no homes, no families, no wives, no children, they soon lost their love for their country. Patriotism was throttled, and the State died. It is said of one of the great Spartan leaders, sent on an expedition against a foreign foe, that he betrayed his country, and sold it, in order that he might marry the daughter of the prince with whom he was battling, and so get a wife that belonged to him and not to the State.

Marriage a condition of servitude, the wife a slave, her property, her person, her interests, her children, all under the absolute control of her master and her lord, became in time intolerable, and a reform was inaugurated. Marriage became a civil contract. The husband and the wife agreed to marry. And this civil contract lasted only so long as the agreement lasted. While husband and wife were satisfied, they remained husband and wife; when they ceased to be satisfied, they dissolved their bond and tried again. In the Roman Empire that plan was tried, though without the checks and limitations which we have put upon it, when to-day it has been put in practice in some of our States in the name, curiously enough, of woman's rights. On the whole, I am inclined to think that it was a reform; that a marriage which is a contract is better than a marriage which is slavery, and a marriage dissoluble by the contracting parties is better than a marriage which puts the wife, her person, her property, everything she has or holds dear, in charge of one despotic authority.

However that may be, at the close of the eighteenth century the European states had, in their laws, adopted this pagan conception of marriage. It is true that this pagan conception had been ameliorated by human sentiment, and that some of the women had, despite it, developed noble characters, and were highly honored by the community and by their households. It is also true that this pagan system was never recognized as true by the Christian Church, and was never accepted as the whole truth by the people, who usually attempted to combine with this pagan conception the Christian ideal of which I shall speak in a succeeding article. But the twofold pagan conception of marriage, on the one hand as a civil contract, on the other as a servile subordination of the woman to the man, was woven into the fabric of European laws. In Latin countries marriage before a civil officer was required. It might be followed by an ecclesiastical marriage, but the ecclesiastical marriage was not necessary in law. In England marriage might be performed by the priest, but need not be. It could also as well be performed by a civil officer. By this marriage the wife passed into the possession and power of her husband, though not quite so absolutely as she had done in the old paganism. But by marriage her legal existence was suspended, or at least incorporated and consolidated with that of her husband. All her property passed into his hands; all her earnings belonged to him. Her children were legally his children and under his control.¹ The only ameliorating circumstance that I recall was that, while her property passed into his hands, he was also liable for her debts reasonably contracted by a person in her condition. I am not quite sure whether under English law the man had a legal right to chastise his wife, but that he exercised that right very often in the lower classes English literature abundantly testifies. That supposed right has not been wholly disregarded even in America to-day. An acquaintance of mine recently congratulated a colored man in the South on his golden wedding.

¹ "By marriage the husband and wife are one person in law; that is, the very being or legal existence of the woman is suspended during marriage, or at least is incorporated and consolidated into that of her husband."—Blackstone Com., I, p. 441. Quoted by Dicey, "Law and Public Opinion in England."

"Uncle," he said, "I see you have lived fifty years with Aunt Dinah." "Yes, sah! I have, sah!" replied the husband; "and I have not had to hit her a lick once in all that fifty years!"

The conception that woman was made for man and was to be educated for man was wrought not only into the legal institutions of Europe but into its ideals. Rousseau was one of the radical reformers of his time, a recognized idealist of the close of the eighteenth century. It is interesting to read what Rousseau said about the object of woman in creation:

"Women are specially made to please men. All their education should be relative to men. To please them, to be useful to them, to make themselves loved and honored by them, to bring them up when young, to take care of them when grown up, to counsel, to console them, to make their lives agreeable and pleasant—these, in all ages, have been the duties of women, and it is for these duties they should be educated from infancy." Even in their religious beliefs the subordination should be complete. "Even if this religion is false, the docility with which wife and daughter submit to the order of Nature effaces in the sight of God the sin of error. Being incapable of judging for themselves, they ought to accept the decision of their fathers and their husbands like that of the Church."¹

This conception that woman was made for man, that in marriage she lost her personal identity and became merged and consolidated with the man, entered into and determined the popular ideal of woman's education. She was to be educated to be a wife and a mother, and this practically meant to be an upper servant of her husband and the nurse and gov-

erness of his children. The only education that was counted as proper for a woman was that which fitted her either to be a good housekeeper, on whom the care of the younger children devolved, or a parlor ornament creditable to her lord and master. She was to know how to cook, to do chamberwork, and to nurse the children, and she was to learn to do needlework, to play the piano, perhaps to draw and paint a little, and to be a good conversationalist. Charlotte Brontë gives an account of the kind of education which woman received in the early part of the nineteenth century. It is thus illustrated in the prospectus of the school to which she was sent in her girlhood:

The terms for clothing, lodging, boarding, and educating are £14 a year, half to be paid in advance when the pupils are sent; and also £1 entrance money for the use of books, etc. The system of education comprehends history, geography, the use of globes, grammar, writing and arithmetic, all kinds of needlework, and the nicer kinds of household work, such as getting up fine linen, etc. If accomplishments are required an additional of £3 a year is made for music or drawing, each.¹

I have thus stated the questions which America is asking to-day respecting marriage and the family, and have stated, though very briefly, the answer which paganism gives to those questions. How far the answers which some of our modern reformers give are really derived from this ancient paganism I shall consider in the next article, which will be devoted to presenting, in contrast with the pagan ideal, that which we have derived from the Hebrew Scriptures.

¹"Émile," quoted by W. E. H. Lecky in "Democracy and Liberty," Vol. II, p. 505.

¹E. C. Gaskell, "Life of Charlotte Brontë," Ch. IV.

WHAT THE WOMEN STRIKERS WON

BY MIRIAM FINN SCOTT

A NY day last winter, from early morning till late at night, in rain or snow or sleet, in the district west of Fifth Avenue and south of Twenty-third Street, in New York, you could have seen hundreds of thin, pale-faced, ill-clad girls marching like sentinels up and down the sidewalk in front of certain doorways. And every day, had you watched, you could have seen scores of these half-starved girls beaten up by thugs and policemen, arrested, fined by magistrates, and even sent to the workhouse. These young girls, ever marching to and fro—if they stopped they were liable to arrest—were the pickets of the Ladies' Waist-Makers Union, which was a strike forty thousand strong—the biggest strike of women this country has known. The contest was a bitter one; the odds seemed all against the girls. But, despite the menace and brutality of the police, despite cold and hunger, you would not have seen the number of these young sentinels decrease. Some fell out, but there were volunteers in plenty to take their places; and for a hundred days this desperate marching to and fro went on unbroken.

Had you stood on Fifth Avenue in this same region on May Day, the international holiday of workers, you would have seen a strangely different procession. Past you there would have tramped, as part of the May Day Parade, an army of girls uniformed in white shirt-waists and red neckties—an army that was a full hour in passing—an army three miles long. These were the girls who had desperately paced this same neighborhood half starved only a few months before; but now, as they marched, they sang the workers' "Marseillaise," and on thousands of faces was the look of victory, for they had won their strike.

This contrast is an epitome of what these girl strikers have achieved. To show more definitely the extent and full significance of their victory it will be necessary to recall briefly the working conditions that existed prior to the strike, and also to recall the girls' equipment for a

struggle. While in many shops the conditions were good, in the majority the girls worked amid most pernicious sanitary surroundings; they were the victims of a system of fines (for being late or damaging goods) that were vastly disproportionate to any loss suffered by the employer; there was in existence a subcontracting system which enabled the employer to pay as low as two dollars a week of sixty hours; they worked ten, twelve, and even more hours a day; in the busy season they did not get even one day's rest a week; and at the best the majority of these girls could count on nothing better than a four months' season of tense overwork, and eight months in which they would be more or less idle. As to the preparedness of these girls for a great strike, perhaps I can suggest that by saying that when I went to the office of the union a few days before the strike was called, I found that the headquarters of the Ladies' Waist-Makers Union of New York was a corner, mere "desk-room," in one very small office, and that the general organizer, secretary, treasurer, and walking delegate were all combined in one not very large man. This hard-working Pooh-Bah informed me that his union had an irregular, unenthusiastic membership of about eight hundred, scattered throughout Greater New York; that ninety per cent were of foreign birth, more than half did not speak English, and that practically none of them had any knowledge or experience in union organization. Such was the fighting condition of the union when the long struggle with the four hundred manufacturers began.

With the struggle that followed, with the girls' sacrifice, suffering, and heroic spirit, I have already acquainted the readers of *The Outlook* in a previous article. Though the union was so weak, the girls were ripe for revolt—and unyielding revolt—and for fourteen weeks, amid the greatest hardships, they carried on the fight, and at length carried it on to complete victory. At the time the strike was declared off, 354 employers had

signed the union's contract, and with a very few exceptions all had agreed to a closed shop, to a fifty-two-hour week, to a raise of wages from twelve to fifteen per cent, to do away with the sub-contracting system and many other abuses, to limit night-work to two hours per day and not more than twice a week, to pay week-workers for legal holidays, and in the slack season to divide the work among all workers, instead of giving it to a favored few.

Important as are the direct economic results of the victory, there is another result of even greater significance, and that is the existence of a real union where before there had been but the shadow of one. Very recently I had occasion to visit the new headquarters of the union, and the contrast with the headquarters before the fight began was enough in itself to tell what a different thing the Ladies' Waist-Makers Union now is from the union of six months ago. Instead of a corner in one room, the union has a suite of two rooms, which it already finds too small for its purpose; instead of a few hundred scattered members, there are now

twenty thousand girls in good standing, with new ones coming in daily; instead of the entire staff of officers being incorporated in one man, the union now has two organizers, two recording secretaries, two financial secretaries, nine walking delegates, one bookkeeper, and three stenographers. Besides, each organized shop has a voluntary chairman, and once a week all the chairmen meet with the walking delegates to report the conditions of the shops. In this way the union is kept in constant touch with each individual shop. Instead of an income of but little better than nothing a week, the average weekly income from dues and initiation fees is \$2,400. The union has also established an employment bureau in its offices. When any girl is out of work, instead of tramping from shop to shop, she need only come to the bureau at the union's offices.

And, besides, the strike has had another result. There has been a tradition that women cannot strike. These young, inexperienced girls have proved that women can strike; and strike successfully.

A FOURTH OF JULY CELEBRATION IN THE ROCKIES

BY KATHARINE F. ELLIS

I WAS a long time deciding whether or not in my journey across the continent in June I would go out of my way to accept the invitation extended by "My Lady of the Rocky Mountains"¹ to make a visit at her home in Montana—a cattle ranch twenty-five miles from the railway station and close up to the snowy "divide." My acquaintance with the "Lady" had been a very short one; in fact, it was limited to a few hours on the cars when she was traveling from Montana to Kansas with a family of five small boys—the eldest a fatherly lad of eleven, and the youngest a baby of three weeks.

¹ Under this title an account of the incident referred to appeared in *The Outlook* for February 11, 1907.—THE EDITORS.

I rendered all the assistance I could at the time, and became extremely interested in the little family, so that when, in the course of time, the brief acquaintance was renewed by correspondence, it was like reading the sequel to a story; I learned of the safe arrival at the old home in Kansas, and that a few weeks later the husband and father went for his family and took them back to their Rocky Mountain home. She had written me that life in the "Basin" had changed for the better since our chance meeting; that now there was school for nine months of the year; that new families had moved into the neighborhood, and, above everything else, the telephone, connecting them with town and with each other, was the greatest blessing.

She wrote, "You can now telephone us from the station when you arrive, and we'll come right down and get you." One would suppose that the "going to the station" was as simple a matter as meeting a friend in the city, when a short car ride would take a guest from the cars to the home of her friends. I thought at the time that a hospitality which required a drive of twenty-five miles each way, with a stop-over at the railway town, was worthy of acceptance, but, after taking that ride and realizing all that it meant to convey a guest to that cabin home, my wonderment increased that any one should ever be invited, much less urged, to come.

But I anticipate. There were things on my side to be considered. An acceptance meant a night at Pocatello in order to catch an early morning train on the Oregon Short Line; there was the additional expense, together with the feeling that I was exploring an unknown country and unknown people. But after my decision was made that I would be there on a certain date, there was for me no wishing "I hadn't." If one has slept at a railway station hotel, or, more correctly speaking, *tried* to sleep, and had legions of puffing, snorting engines advancing through his window and toward his bed, he can understand how at times during that night of unrest the wisdom of my decision was questioned, and I wished for a temperament of a less investigating and exploring nature.

But at six the next morning I was on board the train that would take me north, some two hundred miles into Montana, and by noon I had reached the end of the railway journey and telephoned, according to directions previously given, of my desire to finish the trip by wagon ride to the Basin. The reply came that Mr. — would leave home at once for the station, and we could start at an early hour the next morning. Expressions of joy followed that I was so near and would soon be in their midst. Thus early did I perceive the blessing of that telephone. I was tired from the experiences of the night, and somewhat put out with myself that I should go so far out of my way to gratify a mere caprice, yet when I heard the sweet voice of "My Lady" over the wire, and found that my visit would mean so

much to her and the boys, my spirits revived and I thought better of myself and the trip before me.

My friendly host appeared that night, saying that he had many errands to do for neighbors, and would be busy all the evening gathering up the various articles sent for and delivering and collecting mail. Not until I found myself on the high seat of the wagon and looked at the motley array of things behind and in front of me did I realize what it meant to be the man in the Basin who was "going to town." There was a fine new saddle for a neighbor's boy; packages of groceries, bundles of mail, farming implements, etc.; while a shepherd dog, picked up at a cross-road, occupied the remaining space at my feet. Evidently, I thought, here is a community that believes in reciprocity, and I learned later that each family in turn serves his neighbor in the same way. "I am going to town; can I do anything for you?" passes along the line from house to house, and there is no false pride in making an expressman or mail-carrier of any man in the Basin.

When we began the drive, we were at an altitude of 6,000 feet, and we kept on steadily rising until at the level ground of the Basin we were some 7,500 feet up in the Rockies. Across the open valley we jogged, and into the cañon, which extended for many miles, always following the mountain stream on one side or the other, and fording it where bridges were not thought a necessity. In places where the cañon narrowed the rocks towered high above us, and again there were wide stretches of rocky hills, with open spaces where sheep-herders had established camps. In the twenty-five miles traveled not a team was met nor a human being seen, except when bundles and mail were left at the nearest point to a cabin, and the owner was seen to emerge and walk toward the spot of "special delivery." Time was too precious to wait, so the articles were weighted down with stones and left on the highway, while we traveled on.

Almost the first question asked me was as to the length of my visit. "You'll stay over the Fourth, won't you? We're going to have a big time at the Basin, and want you to stay and go with us." I saw

at once that my departure at the end of the week would seriously interfere with the plans of the family, so I replied that of course I'd be there to go to the picnic and dance with them.

As we emerged from the cañon and reached the north end of the Basin, my friend said, "Now my wife has her eye on us, and knows we're coming," explaining that with a glass we could be seen from his house at the extreme southern end, some ten miles away.

My curiosity as to the home where I was to remain a week abated in my enthusiasm over the scenery which was constantly unfolding. Seemingly close above us were the great crags and peaks of the Rockies, with patches of snow still resting in the crevices; the wide stretch of the Basin offered many shades of green and brown, according as the fields were planted to different kinds of grain, or left uncultivated for pasture lands. The old Idaho trail was pointed out to me; it was used when, in the old days, the road by which we had come was unknown, and exit from and entrance to the Basin were made by going over into Idaho and back into Montana, thus making the trip to the nearest town over seventy-five miles. Scattered at great distances were the cabins of "the neighbors;" and back from the road, across a marshy field, was the unfinished home where the celebration of the Fourth was to be held. Then came the story and romance, the culmination of which stood in the form of a log cabin, the future home of a newly engaged couple. Two bachelor brothers were to lose their housekeeper, while another ranch home, kept by two "bacheldors" (as the people called them), was invaded and the partnership destroyed, and one man was left alone to mourn his fate or "go and do likewise." It had been decided that the new house would be just the place for the picnic and dance, so the work of putting on the roof and laying the floor was being put through by the owner, while others volunteered tents and gave their time to erect them.

With my mind full of prospective pleasure and novelty, we rattled on over the stony road, taking down bars and leaving parcels, until at last the home of my friends was before me, and the wife and

small boys were on hand to give a hearty greeting. A log cabin of two rooms, with a dirt roof and no shade trees, may not seem very attractive, but the interior was homelike and comfortable, while the sweet, loving kindness of parents to children was in itself a lesson to many another family where luxuries abound.

Owing to the high altitude and the short summer season, a garden is an impossible luxury, while flowers, except the wild ones, are never seen. My friend's love for sweet-peas was demonstrated by the box standing in the sunny window, where the vines had really begun to put forth buds. The joyous exclamations which greeted the first bud could not have been excelled had a nugget of gold been found outside the cabin door. I suggested that all sorts of trailing vines be planted in the earth roof, thereby making a sort of roof garden overhead, but I had not reckoned on the daily watering of the plants, and was told that there was trouble enough from leakage when water came in the natural way.

But it is of the picnic—the annual event of the Basin—that I want especially to tell. The celebration was set for Saturday, and throughout the entire week preceding the "Fourth" excitement prevailed, not only in the family where I was a guest, but through the length and breadth of the Basin. Telephone calls were frequent: "What are you going to take to eat.?" "What dishes shall we take to eat off on?" "How late do you s'pose we can dance?" and other important matters were discussed and settled. The children were kept up to their various small duties by the prospect of the good time awaiting them.

The thoughtful mother had prepared and laid out the white shirts and collars for the five small boys, and carefully looked after the wardrobe of her husband, suggesting that his "weekly shave" be administered the previous night, so that he would not be hindered on the auspicious morning, while the oldest boy was told that he "needn't ride for 'cattle on pizon'" that day. The expression, so unintelligible at first, was clearly interpreted to me during the early days of my visit by conversations between father and son. "Have they got down anywhere near the pizon?" the father would ask.

"No," the boy would reply, "they are way up on the mountain, close to the divide." "They" referred to the cattle on the range, and "pizon" to the wild larkspur, which grows only in certain localities, and which is a deadly food for cattle. To be freed from the daily task of locating the stock was in itself a holiday for the boy, but because of the celebration the father was willing to "risk it" once. The baking for the picnic was the work of the previous day, and a patriotic cake of red, white, and blue was to be the *pièce de résistance* of the picnic table. The blue sugar which went into one of the layers was really blue in its natural state, but the combined action of heat with the other ingredients turned it to a deep green, so that a wide stretch of imagination was necessary to reinstate the color intended, as well as plenty of faith that arsenical poisoning was not the purpose of the cook. I must confess that I did not taste it, though others ate of it to a sufficient extent to lay low the flags stuck in the frosting and to mix its colors in conglomerate crumbs.

Saturday morning came at last, with ominous-looking clouds and intermittent rain. "To go or not to go" was the question to be settled. The boys, bearing no resemblance to their former selves, were uncomfortable in good clothes and stiff collars, and wanted one thing or the other—either to go with the "other folks" or revert to their natural estate. Other families were not disheartened, and as early as nine o'clock wagon-loads began to pass the house, and the calls went back and forth: "Ain't you goin'?" "Yes, when it dries up a little." But as it didn't "dry up" by ten o'clock, we started in the rain.

The high wagon was brought to the door, and the three little fellows piled in upon the straw, the two oldest riding their ponies. As the guest of honor I was given the high seat with the lady of the house, and to my tender care was committed the red, white, and green cake, carefully protected and placed on a heavy pasteboard. Our driver's seat was a shifting plank which brought him at times close to our feet, and again put him diagonally across the wagon or in danger of going over the dashboard. Leaving the

well-traveled road by which we had come to the nearest house, we took to the fields of rocks and sage-brush, and for over three miles there was no suggestion of a roadway. It was the most direct way to our picnic-ground and dance-hall, and "as the crow flies" so went we, but an airship that would have transported us *above* the ground would have been more agreeable. Up and down the rocky hills we traveled, and across ditches which threatened to unseat us, all the time receiving a general shaking-up, with special jerks and bounces. Water dripped from the brims of our hats; the small boys in the stowaway behind cried out that they were getting wet; but, undaunted and undismayed, I held on to the cake, and had I gone out at the side or fallen back into the mixture of boys and straw, that patriotic emblem would have gone with me. As to its ultimate fate had my resignation been sent in at that time, I cannot say; I only know that I was true to my trust while I remained in office, and only resigned when I placed the cake upon the dining-table.

Turning down a grade which required skillful driving, there came into view the log cabin, the two tents, and the various "rigs" which had brought the people distances varying from one mile to ten. The larger tent was the general café, and at the time I deposited the cake a long table, loaded with food, was awaiting the dinner hour. The smaller tent was of more interest to me, as that was to be the abode of the babies during the day, and at night the resting-place of children too young to enter into the joys of the dance. A bed of good size had been set up, and a stove sent forth heat that muggy, rainy morning which made the tent unbearable. When I peeped in, the bed was tenantless, but two babies only four or five weeks old, with another a few months old, were asleep in their own little "baby-buggies," which had been brought along in the wagons. The babies were watched over by older brothers and sisters, with occasional visits from the mothers, who preferred the excitement of the dining-tent. I said to myself as I rushed out for a breath of fresh air, "It may be a good idea to provide shelter and warmth for these tender offsprings,

but why smother them in blankets and place them in a heated furnace?" With curiosity as to the interior appearance of the log cabin, I stepped in and viewed the future home of the bride-to-be. A large unpartitioned room, with an ell of smaller size, and a wide, square doorway between, formed the dance-hall of the evening. No windows had been put in, but the one door at the front, with open spaces between the logs, furnished light and air. Lanterns hung from the beams above, ready for the match to be applied. Children were sliding across the floor, giving the preparatory polish which was later perfected by the whittling of a tallow candle over its surface. After a general introduction to all the ladies in the dining-tent, I sat down beside a young girl of twelve or thirteen, who was in a conversational mood and helped me to classify the men, women, and children about us into their respective families.

"I live the nearest house to you," she said, "and that's my mother over there with the baby. There are seven of us children, but he's the best of the lot." I noticed her new blue muslin, sadly limp and spattered with mud, and said: "It's too bad you've spoiled your dress; you had it made on purpose for the picnic, didn't you?" "Yes," she replied, "it was all done, and I was bound to wear it even if it did rain." As I looked around at the other costumes I decided that all were of the same opinion, as white suits, muslins, and other perishable dresses abounded, and the suitability of the gown in relation to the weather was not questioned. "Who's that man?" I asked. "Why, that's my father, and he's going to play the fiddle for the dance to-night. And that man on crutches was thrown from a bucking horse, and that one next to him is a 'wool-tromper.'" At this point I stopped her and asked for an explanation as to the work of a "wool-tromper." Laughing at my ignorance, she said, "He goes around to the sheep-shearings and tramps the wool down into the bags." I said to myself, "I'll watch that man when he dances, as he certainly ought to be nimble on his feet," but, alas! when dinner was over he had departed for other scenes, possibly to do more "tromping."

As the clouds dispersed and the sun came out, my little girl of the blue muslin sought other pleasures outside the tent. I was left alone to find resources and amusement for myself, and began a study of the people about me.

The newly engaged couple had been previously identified, as well as the "bach-elder" brothers so soon to give up their housekeeper, and the lone partner who felt that his "better half," or at least his cook, was about to desert him.

I looked at the girl and wondered if the future prospect was so alluring that she had no questionings regarding the lonely and almost barren life before her. The other women had come after marriage, as followers of their husbands, and had not voluntarily entered upon the life of the Basin, yet, as I looked upon them, I could not detect the slightest appearance of unhappiness or discontent. A young married woman of eighteen told me that she arose at four o'clock that morning to get herself and two babies ready for an early start. As I looked at her with a month-old infant in her arms and another of two years tumbling around at her feet, I wondered in what way *she* could be having a good time. It surely was not a restful day, and wherein could there be any enjoyment except, perhaps, in showing off her new baby, or in the opportunity offered to see her neighbors?

The men were apparently out of occupation after they had safely deposited families and provisions, and until such time as the call came for dinner they sat on improvised seats at one end of the tent, discussing the affairs that were of the greatest importance to them. Their interests, as regards means of support, were almost identical, the only variation being as to whether the raising of sheep, horses, or cattle was the special vocation. Some combined horses with cattle, but I noticed that when a man engaged in sheep-raising, he held to that business alone. There seemed to be no desire for games among them, and even the pitching of quoits, so inevitably the pastime of men at a picnic, was not indulged in. From all I could learn, dancing seemed to be their one amusement, and I was told of dancing parties held at the homes

during the winter, when families turn out *en masse* and the children are stowed away on bed or floor while the festivities are kept up.

The question which followed each introduction was, "How do you like it up here?" and I glowed with enthusiasm as I spoke of the beauty of scenery, the bracing air, and the kind reception given me. That was what they wanted, so why mention lack of opportunity for wider culture, moving-picture shows, and like city attractions?

After the dinner, when husbands' and children's appetites were consulted and satisfied, there was a season of unrest for all—an interval between past joys of dining and future pleasures of dancing. The fiddler made ready by "tuning up" and placing in the cabin a box on end for his seat, and even rehearsed a few tunes, while some of the younger ones practiced two-steps and waltzes.

Long before dark, when the setting sun made sky and mountains glorious, the real dance of the evening began. Some of the girls changed to cleaner and prettier dresses, while nearly all would have been glad to change to their old shoes left at home. Almost without exception new shoes were worn, and many were the confidences given me in regard to pinched toes and aching feet; but wasn't it the "glorious Fourth," and shouldn't the newest and the best be worn?

The "father of seven," who played the first violin and acted as prompter, was assisted by a sheep-herder who scraped away on a second fiddle, not following the tune, but bringing forth sounds discordant and weird, while a lady augmented their efforts by thrumming on a banjo, to the almost total ruination of thumb and forefinger. It could not be said of the music that it was rhythmical or wildly exciting, but it answered the purpose, and not a soul offered criticism or expressed dissatisfaction.

If I felt at times that I was moving about in the dance to the notes of a funeral dirge, I had only to look at the beaming faces of my companions to make me appreciate my blessings.

The ell portion of the house served as a sort of retiring-room, where the mothers

stayed with their small infants, and children of a larger growth sat around, or slept, on the narrow boards improvised for seats until such time as they ceased to rebel at being picked up and laid upon the bed in the adjoining tent. But these mothers didn't propose to be wall-flowers for the entire evening; and when they were needed as partners in a dance, the babies were placed in the keeping of the ones nearest at hand; sometimes a half-grown child struggled with the bundle of blankets, or the future mistress of the cabin took her turn, and even the bachelor—the prospective groom—held a sleeping infant as carefully through a dance as if he had begun the work of caring for his own family. The square dances introduced changes entirely new to me, and I was so eager to catch the rhyming calls of the prompter that I was many times at sea as to where I belonged or what I was to do. I did my best to conform to the customs of the dancers; but if the call of "Allemand" was not interpreted by me correctly, or if I was not able to lead in the sinuous motions of the "grape-vine twist," why wasn't I as much an object of ridicule up there in the Rocky Mountains as these people would have been in the conventional ball-room of a city?

When it was dark enough to make fireworks sufficiently impressive, all hands gathered outside the cabin door, and the rockets, "sparklers," and crackers, ordered from town weeks before and hidden away for this occasion, gave evidence that it was no *common* picnic or dance, but was *the* event of the year.

I took advantage of this intermission to talk with a man who, with his wife, had driven ten miles from their sheep ranch to be present at this dance, not being able to get there for the picnic of the day. I found him a firm believer in the desirability of sheep over cattle as a means of livelihood, his reasons being that during the winter, when hay must be fed to the stock, sheep require less hay than a smaller number of cattle, and there is the annual income from the wool, besides the spring lambs sold for market each year.

Back to the cabin and a continuance of the dance! Ten o'clock came, and no abatement of pleasure and interest was perceptible. At eleven o'clock there was an

occasional hint that it was almost time to stop, as "to-morrow will be Sunday," and when I perceived that the real breaking-up was close at hand, I stole away to the little tent in advance of the others, that I might see the work of removing sleeping children from bed to wagons. There they lay in peaceful innocence, girls and boys from two years old to ten, a strange mix-up of heads and feet. It was no new thing for them to be picked up and, with limp arms and hanging heads, have outer garments and head-gear adjusted. The wagons were brought around close to the tent; each father and mother made sure of their own quota of children before depositing them on the straw; good-bys

were said, and each load started on its homeward trip.

The night air was cooling to our faces; the stars shone brightly above us, and the ride home after the "pleasure exertions" of the day did not seem as tiresome as in the morning. The cabin was reached shortly after midnight, and three limp little boys were undressed and put to bed. The celebration of the "Fourth," as the joint affair of the Basin, ended at the time that the real "Fourth" was ushered in, and in city streets the patriotic small boys were beginning at that early hour to make themselves heard, while there in that mountain valley the rest and quiet of the eternal hills had come to all her people.

THE PROBLEM OF THE THIRD ITALY

BY HAMILTON W. MABIE

THE Italians are in the position of a very old family which has outgrown a very old and beautiful house in which the whole world is deeply interested. Lovers of the antique and of art in all its forms, students of history, antiquarians, tourists eager to find the picturesque and unusual, feel very strongly that the record of the classical civilization and of the Renaissance in the monuments, gates, streets, palaces, and gardens of Italy should be preserved intact, and that it is an act of sacrilege to lay hands on any part of this older Italy around which the life of young Italy is rising like a tide. In a very real sense Italy, being itself a work of art as truly as its palaces and statues, belongs to the world; for all beautiful forms and structures, escaping from the limitations of the material and taking on the significance of the spiritual, cease to be the property of their makers and become the possession of humanity. Since the day when Surrey fell under the spell of the sonnet and Milton felt the glow of the later Renaissance on his youth, Italy has been the refuge and inspiration of lovers of beauty in the modern world; of poets who, like Goethe, have found here a rebirth of the spirit; of men of

delicate and sensitive imagination who, like Hawthorne, have gained a larger liberty of vision and art; of painters and sculptors innumerable who have learned here the secrets of the arts laid bare in a hundred galleries and half a thousand churches. Since the modern world, brought into being largely by the intrepid courage and genius of Italy, began to see and think for itself, to have its own visions, and to speak its own language, Italy has been the university in which it has taken its advanced courses, the library in which it has unveiled the life of the past, the gallery in which it has studied the masterpieces of the two civilizations which used art not as the dialect of the few but as the living, growing, vital language of the many.

Italy is in a very real sense the possession of the world, and this is one source of its immense value to the men and women who live in it to-day; but Italy belongs also to the Italians. To us it is primarily a work of art, to be preserved with infinite care from all contact with commercial uses; to the Italians it is a great estate which must support a vast and growing population. To us it is a museum; to them it is a home. Here is

the problem of modern Italy, and it is a very serious and pressing one, not to be solved out of hand by lovers of the antique and the beautiful in other countries, or by that large group of people who are eager for commercial prosperity at home but ask the Italians to deny themselves the activities of an age of immense practical energy in order that the world may preserve the atmosphere of an age which pursued beauty as a vocation, not as a resource against the weariness and hardness of money-getting.

The first impression which the visitor receives when he escapes from the vociferous and bewildering tumult on the landing-pier at Naples and has exchanged pleasant greetings with the easy-going gentlemen of the custom-house and looks up the long, narrow street as he emerges into the noisy city, is an oppressive sense of overcrowding. The streets are not only full of people in the sense in which Fleet Street and Broadway are full; they literally swarm with men, women, and children. The city hums with the sounds of human voices and traffic, and, like a great hive, seems to send out more life than it can house. The population long ago outgrew the city, and much of its daily life goes on in the streets. And this is, in a certain sense, a picture of the Italy of to-day: the people have outgrown the facilities for living which the country affords. There are many Italian cities in which, during the last twenty years, rents have doubled and trebled; and it is often extremely difficult for newcomers to get a suitable house. The cities which have become centers of industry as they used to be centers of political or artistic energy—Turin, Milan, Florence, Genoa, Rome, Naples—are congested with a population which is not only inadequately housed, but finds it difficult to transact the necessary business of life in the narrow streets.

We who love the older Italian civilization, which was municipal and provincial, forget how new Italy is: barely forty years old! A generation ago it was still a geographical expression, to recall Cavour's famous *mot*. There was a Kingdom of Piedmont, with a King who had great capacity for gallant leadership; the Austrians were holding Venice in hated

subjection; Florence was ruled by dukes of foreign blood; the Papal States, Naples, and Sicily were probably the worst-governed countries in the history of Europe. Southern Italy was deliberately cut off from northern Italy by lack of roads and a studiously devised isolation; ignorance, dirt, superstition, and brigandage were the special characteristics of Calabria and Sicily; suspicion, distrust, and jealousy kept the northern cities apart. Old-time antagonisms, which had their source in the intense individuality of the men of northern and central Italy, and in contemporary political and economic conditions, combined to keep up walls of separation which were centuries old. Then came the dramatic series of events which made modern Italy possible, and the group of great leaders—Cavour, Victor Emmanuel, and Garibaldi—who gave Italy unity and freedom, and out of a group of provinces created a nation. With marvelous rapidity, when one remembers the old-time jealousies and the delicate and difficult problem of the relations of Church and State, the Piedmontese, Venetians, Tuscans, Romans, Neapolitans, and Sicilians have become Italians. It is true the old local traditions are still strong and there are some Romans who refuse to call themselves Italians, but they are negligible; the rising tide of national feeling and energy is submerging them. Italy feels her waxing strength after centuries of suppression, and rejoices in it like a strong man who finds himself at last in the race. The art of self-government is not learned in a day; after a thousand years of political education English-speaking America is still far from the mastery of this art. It is not surprising that Italian politics are disfigured by local jealousies and personal corruption; that parties divide on unimportant points, and groups form and dissolve with bewildering rapidity, and Ministries fall overnight; the important fact in the situation is that united Italy becomes more and more the great reality, and that unity and democracy are synonymous. Italy is fortunate in her kings, for the house of Savoy is royal not only in rank but in courage and patriotism. "My house," said King Humbert, "is synonymous with liberty."

The problem of "the third Italy," to recall Carducci's striking phrase, is to expand freely and vigorously without effacing the past. It is a mistake to assume that the Italians have become commercial; they always were commercial. Modern business may almost be said to have begun in Italy; for the Italians were among the first to revolt against the rigid local restrictions which held mediæval society together with iron bands. In northern Italy the beginnings of that freer intercourse which is the prime condition of trade was coincident not only with a vigorous and audacious political life but with the development of a great art. The vitality which set the tides of business flowing through Italy mounted to great heights in architecture, sculpture, and painting. There was not only no antagonism between these two forms of human activity, there was active co-operation. Civic life has never been so splendidly dressed as in Venice when the commerce of the East was in her hands; the most exquisitely beautiful building still standing in Florence was erected as a granary; and at Perugia the earliest bankers sat behind delicately carved tables in rooms painted from floor to apex of ceiling by Perugino. It is not a sudden growth of the commercial spirit which prompts the Italians to treat lightly the monuments of the past; they have always been a shrewd, ambitious, trading people.

Nor is it an expression of the modern iconoclastic temper; the alleged indifference of democracy to beauty. The Italians, being a vigorous race, have always treated their past with a free hand. The "second Italy" was built out of the "first Italy." For almost a thousand years the monuments of the classical age were quarries from which the Romans took material at will to meet their private needs. Columns from temples stand in many Christian churches. The wrecking of the Forum, the Coliseum, the palaces on the Palatine, went on merrily for generations. The Forum became a dumping-ground and cattle grazed over it until the last century. The princely builders of the Renaissance treated the noble structures of classical Rome as so much material for their palaces. There is a proverb in Rome

to the effect that what the Barbarians left the Barberini destroyed. And these iconoclasts were not Goths and Huns from the great Northern forests; they were the creators of the second great civilization in Italy!

The Italian of to-day is not, therefore, a mere trader nor an ignorant destroyer. He has been very short-sighted in some of his endeavors to make room for himself, and the blight of taste which has fallen on Germany, France, and other European countries has fallen on him also: witness the appalling unfinished monument to Victor Emmanuel which has thrown all Rome out of scale, so to speak, the new Palace of Justice, and the commonplace Piazza Vittorio Emanuele in Florence. The Italian of to-day is eager to live his own life in his own way, and resents the idea that he is the custodian of a museum or the curator of an art gallery. These functions he discharges incidentally; his real business is to master the conditions of the modern age and put himself beside the German, the Englishman, the Frenchman, the American, in dealing with contemporary affairs. He feels that he has rights which his ancestors must respect, and problems of which they knew nothing. Papal Rome had a population of less than two hundred thousand; in less than fifty years, under the impulse of unity and freedom, Rome has become a city of more than six hundred thousand people. Room must be found for this great growth of population; and these contemporary Romans are entitled to more consideration than the cultivated foreigner who wants Rome left to feed his eye with the picturesque and the romantic. It is true, a great deal of recent building in Rome is characterless and commonplace; that is true of recent building all over Europe. Architecture is in a much worse condition here than at home; we seem to have learned the lessons which these older peoples are forgetting. But the right of modern Rome to grow ought to be recognized. There have been changes which have given pain to the lovers of the old city; but, on the whole, the hand of progress has not been the hand of the Vandal, and some of the protest has been unreasonable. Why should not the Via Tritone be widened, for instance? It

never was an important street architecturally, and it was of prime importance in the arterial system of the city. The Romans of to-day are giving up a great space in the very heart of the city to the monuments of the past; under the direction of such men as Signor Lanciani and Commandatore Boni antiquities of every kind are being carefully guarded.

The public sentiment of the world can help the Romans to see clearly what they seem at times to ignore, that, while Milan, Genoa, and Naples are on the way to become great commercial centers, the function of Rome is to remain a great capital. It was for nearly two thousand years the capital of the world, and it remains a city of unique position and importance. The greater interests of humanity are associated with it as with no other city; religion, art in all its forms, political development,

social growth, scholarship, find in it almost inexhaustible illustration and material. It is continually enriched by an army of pilgrims from all parts of the world. As a commercial city there is for it little prospect of successful rivalry with other Italian towns; as a great capital, wisely preserving the memorials of the past, but freely living its own life, the sources of its prosperity are almost inexhaustible. Its real fault has been, not that it has been willfully destructive, but that it has failed to make its modern aspect beautiful. The new sections are not hideously ugly; they are dull and commonplace. Close at hand there are lines and vistas and tones of enchanting beauty; and yet the newest Rome is content with dusty streets and monotonous blocks of commonplace regularity and uninspired dullness of design!

Florence, Italy.

THE NEW BOOKS

Mr. Robert Herrick's "A Life for a Life" (oddly enough, this is a title once used by Miss Mulock) exposes as with a dissecting-knife the crushing, grinding cruelty of the modern struggle for success at all costs. The cold-hearted builder of gigantic financial enterprises, the pliant banker, the breathless crowd of underlings who strive for minor portions of plunder and power, all raise a wall against which the honest-dealing, public-spirited citizen dashes himself in vain. The millionaire's son becomes an "Anarch," but accomplishes nothing through hate and violence. The honorable country boy, lured by an idealized love, first fights fiercely for success, then learns what the dark side of the battle for power means in suffering and injustice, and finally dies true to his ideals, but ineffective in his efforts. There is something Titanic and terrible in the battling of opposing forces in the life of the great unnamed city here pictured, something courageous in the exposition of business and social tyranny, something imaginative also in the glow of youth and love. The author's manner of writing is less minutely realistic than in former books; it may even be said that the final scenes are excessively and gloomily melodramatic. The novel is not meant for amusement; its significance and its irony strike hard at typical evils of our day. (The Macmillan Company, New York. \$1.50.)

In the best work of Mr. E. Phillips Oppenheim there is ability of a kind to suggest

that he might, if only he would, do something much better than the exciting plot-stories which form his usual fiction output. "The Illustrious Prince" is another international detective story in which the diplomatic relations of Japan, England, and the United States are made to furnish imaginary incidents, grouped around the murder of a special messenger bearing an important letter to the American Ambassador in London. There are fascination and nobility in the character of Prince Minyo. The author uses this Japanese royal prince to present an ideal of patriotism, and contrasts him with the English younger generation, who seem to the prince to be taken up by love of money and sport and to care little for their country. (Little, Brown & Co., Boston. \$1.50.)

It seems incredible that so much crude selfishness and rudeness could be concentrated in a small group of presumably well-bred people as is manifested among the party gathered together in a German town by poor little Mrs. Dunn, according to Anne Warner's late story. "Just Between Themselves" is clever and amusing, but very annoying. The group should have kept by themselves, with their wrangling and unreasonable demands upon their hard-working hostess. After overhearing the recriminations of two sets of married folk, it is too great a strain upon our credulity to believe for a moment that the youth and maiden of the ill-assorted company would actually marry and put their necks under the yoke that so galled their

uncomfortable friends. Cynicism overweighs what should be lighter wit, and embitters the fun of the story. (Little, Brown & Co., Boston. \$1.50.)

Professor Münsterberg's latest volume, "American Problems from the Point of View of a Psychologist," is scarcely up to the standard of such earlier works of his as "American Traits" and "The Americans." It is a collection of essays most of which have already seen the light in various magazines, and some of which fail to justify reprinting. The paper on "My Friends the Spiritualists," for example, is quite worthless, apart from its brief and inadequate account of the detection of Eusapia Paladino in fraud at a séance at which Professor Münsterberg was among those present. The same is to be said of the essay on "The Intemperance of Women," a sadly futile and illogical performance. And sober critical opinion would also have to be wholly adverse to the essay on "The Fear of Nerves," were it not that, after strenuously denying that nervousness is pre-eminently a disease of the age, particularly in America, Professor Münsterberg proceeds to demonstrate in a convincing way the kind of nervousness from which Americans especially suffer. In the remaining papers, however, there is a good deal deserving of careful consideration. The arguments in favor of temperance in the use of alcoholic stimulants rather than total prohibition of their manufacture and sale have seldom been presented in so striking a manner as in the essay on "Prohibition and Temperance." The lack among us of proper appreciation of scholarship as such is rightly emphasized and deplored in "The Standing of Scholarship," while in "Books and Bookstores" we have a well-warranted criticism of the American book-publishing and book-selling business, and, incidentally, of the American book-buying public. Less weighty, but still worth reading, is Professor Münsterberg's criticism of the simplified spelling propaganda, as contained in an essay on "The World Language." The book is rounded out with two essays on applied psychology, demonstrating clearly that the particular branch of science in which the author is most interested is by no means so impractical as most people suppose. Thus the essays here collected cover a wide range of subjects, uniformly dealt with in Professor Münsterberg's usual facile style. But, as was hinted, their total effectiveness would be greatly increased did not the volume include with what is really good such unworthy productions as the articles on Signora Paladino, nerves, and intemperance among women. (Moffat, Yard & Co., New York. \$1.60.)

"Western Women in Eastern Lands" is the descriptive title of Mrs. Helen B. Montgomery's book on the course of study published for use in the popular mission study classes now found in every wide-awake church of every denomination. The

author summarizes briefly the history of fifty years of woman's work in foreign missions, and, while her text-book must of necessity be a mere starting-point for further reading, she succeeds in making it vivacious and readable. Women who are familiar with the facts in their own churches will be interested in enlarging upon the material given. Those who are not yet awake to the fascination of this study will find a new avenue for their thoughts and activities in these pages. The fine face of Mrs. Doremus, known and beloved in New York City for many years, looks out upon us, and, with other portraits and pictured groups of the native women of many lands, brings a keen sense of the meaning of sisterhood throughout all the world. The Laymen's Movement has been heralded as an especially practical effort for the evangelization of non-Christian lands, and in some uninformed quarters is hailed as a novelty in method. Without detracting in the least from the power and high purpose of this new movement, we may point with satisfaction to the results of the sensible method employed by the women of the churches for fifty years past. (The Macmillan Company, New York. \$1.50.)

Professor E. D. Fite's "Social and Industrial Conditions in the North during the Civil War" takes rank as a really important contribution to the economic history of the United States. It is exhaustive, painstaking, and thorough, and clearly a product of sound scholarship. Its title is aptly descriptive of its subject-matter. What were the people at home doing during the great struggle? What attention did they give to other than political and military matters? How far were their normal industrial and commercial activities maintained, and to what extent and in what manner were they changed? Such are the questions which Professor Fite asks himself, and answers in a succession of amply informative chapters on agriculture, mining, lumbering, transportation, manufactures, commercial life, capital, labor, public improvements, education, luxuries, and charity. And, surprising though it must seem, he finds the greatest activity everywhere, and an activity stimulated only in part by the war. "Socially and industrially," he affirms, "the North was more active and prosperous than ever before, for the war and war politics did not subvert these phases of the National life. The output of raw material from the farms, the mines, and the forests was unusual, and transportation and manufacturing activity was extraordinary; practically all branches of commercial life flourished." These conclusions Professor Fite supports with a mass of documentary and statistical evidence, the collecting of which must itself have been a prodigious task. Yet the work is not a mere heaping together of facts and figures. There is much searching analysis, particularly with regard to the Civil War aspect of such present-day problems as the tariff, currency

reform, the monopoly problem, regulation of inter-State commerce, etc. On the whole, the record as he describes it is flattering to National pride, though there are some ugly spots—as, for example, in the tactics employed to keep down wages despite rapidly rising prices, and the tremendous expenditures on articles of luxury and on amusements, even while the war was at its height. Professor Fite cannot be accused of any desire to gloss over this phase of social activity, which foreign observers and American leaders condemned severely. On the other hand, as his closing chapter makes plain, if much money was wasted in a selfish way, much more was expended to relieve the suffering consequent upon the war. (The Macmillan Company, New York. \$2.)

From the historical standpoint the recently published eleventh volume is far and away the most important in Professor J. B. Moore's edition of "The Works of James Buchanan." Covering the years 1860-1868, it includes with especial fullness Buchanan's papers and correspondence for the critical four months between the election and inauguration of his successor to the Presidency, Abraham Lincoln. These were months in which, according to the consensus of subsequent historical opinion, Buchanan irretrievably ruined his reputation by the weak and vacillating policy he pursued when actually face to face with secession. Our foremost historian of the Civil War period, Mr. James Ford Rhodes, has not hesitated to charge that "the mainspring of his wavering course was his feverish desire that the war should not begin under a Democratic Administration, nor while he was in the Presidential chair." Other historians, going further than Mr. Rhodes, have accused Buchanan of positive treachery and disloyalty to the people of the North, and of despicable subservience to the demands of his Southern advisers. Such accusations, however, fall to the ground when examined in the light of the documents now brought together by Professor Moore, which show that, no matter how mistaken and harmful Buchanan's policy was, it was based, not on motives of treachery or subservience or fanatical party zeal, but on a sincere conviction that the course he pursued was the only course consistent with his position as Chief Executive, not of the North alone or of the South alone, but of the entire country. To the last, it is apparent, he was animated by an honest, if fatuous, belief that Seward's "irrepressible conflict" might yet be averted, and the Union be preserved without resort to arms. And even after the outbreak of the long war he continued to believe in the fundamental correctness of his policy. "My policy," he wrote to Judge Black under date of March 4, 1862, "was well matured, at least by myself, and was clearly and distinctly presented in the Messages of December, 1860, and 8 January, 1861. From these I never consciously swerved. The first was

approved by every member of the Cabinet except Thompson and Cobb, and to the last I believe there was no objection. After a full and careful review, I would not, if I could, alter this policy in any particular." Professor Moore prints also letters indicating that Buchanan's sincerity was appreciated by such staunch Unionist members of his Cabinet as Black, Holt, and Stanton, even if they were not fully in accord with him. Thus, writing of newspaper attacks on the former President, in the summer of 1861, Stanton sought to comfort him with the assurance that "I think that the public will be disposed to do full justice to your efforts to avert the calamity of civil war; and every month for a long time to come will, I am afraid, furnish fresh evidence of the magnitude of that calamity." And Holt, writing to J. Buchanan Henry many years after the Civil War, declared frankly that in his opinion Buchanan's policy on the eve of the war "was honorable to him in every way, and its wisdom was fully illustrated by the events that followed." Assuredly, if it is impossible for the historian to deem Judge Holt justified in this generous eulogy, it is at least necessary for him, in the light of the documents now available, to modify in some important respects the prevailing estimate of the motives and character of President Buchanan. (The J. B. Lippincott Company, Philadelphia. \$5, net, per vol.)

Two lately published books may interest the student of Italian classics. Dr. Mario Emilio Cosenza, Instructor in Latin in the College of the City of New York, has translated "Petrarch's Letters to Classical Authors." The result is a small, handy, well-printed volume. Petrarch wrote imaginary letters to Homer, Horace, Cicero, Seneca, etc. To his translation of the text Dr. Cosenza has added instructive comment. (University of Chicago Press. \$1.) Mr. Grinnell Milne has made a collection of "Tales from Tasso." The result is a rather bulky but superbly printed volume. Mr. Milne includes not only the original text and the translation of parts of the "Jerusalem Delivered," but also the Francesca di Rimini story from Dante's "Inferno," certain of Michelangelo's "Sonnets and Madrigals," and finally "Ginevra, a Tale of Florence," an original poem by the author. This book also contains interesting introductions and notes. (David Nutt, London. \$4.)

"The Interpretation of the Character of Christ to Non-Christian Races" is an uncommon book in the literature of missions. Whether one cares or does not care for missions outside of Christendom, he will find it deserving of attention. There are comparatively few adherents of Christianity who will not find it helpful to a better comprehension and practice of their own religion. The author, Canon Robinson, of Ripon, England, surveys the four chief religions of the East with an intelligent and sympathetic

appreciation of what is best and highest in them. He finds that through lack of moral power to live up to their ideals most adherents of those religions have ceased to aspire, and need the power communicated in fellowship with Christ. Yet it is their proper heritage, for Christ was an Oriental. How to awaken their desire to reclaim it in its original simplicity is the question which is here answered simply and convincingly. (Longmans, Green & Co., New York. \$1.20.)

An authority for the conclusive settlement of a controverted question is now at hand in "The Historians and the English Reformation," by the Rev. J. S. Littell. Did the Church of England originate under Henry VIII, or a thousand years earlier under the preaching of the missionary monk Augustine? Roman Catholic writers father it on the royal Bluebeard; Protestant writers vary, but with the weight of opinion on the other side. The present volume effectively disposes of the claim as to Henry VIII by documents which admit of no reasonable gainsaying. Its record also of the error which abounds in writers on both sides of the question is well-nigh cyclopædic, a pretty complete dictionary of the misinformation

current on this subject. (The Young Churchman Company, Milwaukee, Wisconsin. \$2.50.)

The third volume of Father Hughes's "History of the Society of Jesus in North America," just issued, is also the second volume of documents relating to it. The founder of the American Catholic hierarchy, the Most Rev. Dr. John Carroll, Archbishop of Baltimore, is the most conspicuous personage herein, in his varied relations to a wide field of thought and action. The series of documents in the present volume is arranged with reference to a controversy running through the whole. After Pope Clement XIV, in 1783, had suppressed the Order of Jesuits, an organization was formed to preserve its property for religious uses till the Order should be restored—which took place in 1814. In the prosecution of this plan questions concerning various rights and equities arose, at some points also touching the jurisdiction of the State. The documents relate to these questions, and are accompanied with enough of introduction, notes, and critical comment to exhibit the sequence of events and to secure historical veracity. (The Burrows Brothers Company, Cleveland, Ohio.)

LETTERS TO THE OUTLOOK

THE POWER OF THE PRESIDENT¹

I

In your editorial entitled "The Executive's Duty," in The Outlook of June 4, you state that the duty of the executive officer is not merely to do that which the law commands, but also to do everything possible for the public welfare not prohibited by law, and you make the following quotation from Chief Justice Marshall:

Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the Constitution, are Constitutional.

The case was the celebrated one of *McCulloch vs. Maryland*, 4 Wheaton 316, 421, and the question involved was whether or not the Act of Congress incorporating the bank of the United States was a law made in pursuance of the Federal Constitution. You have copied one sentence of a paragraph that has been quoted thousands of times because of the fundamental principles laid down in it. That paragraph is as follows:

We admit, as all must admit, that the powers of the Government are limited, and that its limits are not to be transcended. But we think the sound construction of the Constitution must allow to the national legislature that discretion, with respect to the means by which the powers it confers are to be carried into execution, which will enable that body to perform the

high duties assigned to it, in the manner most beneficial to the people. Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the Constitution, are Constitutional.

The great Chief Justice was there dealing with an Act of Congress, and not with the act of an executive officer beyond the scope of written laws. I venture to challenge the production of any ruling by the Supreme Court of the United States that would justify the executive officer in doing that which you state would be his duty "for the public welfare not prohibited by law."

The principle you contend for would be productive of great evil if enforced for any length of time. The officer would decide for himself what the public welfare required, and whether it might be prohibited by law or not. He would become the administrator of a law made by himself—a law-giver and a law-enforcer to whom implicit homage must be paid. His successor might see the public welfare from a different point of view, and he would speak and enforce another command. You would erect behind the Constitution and the laws a power unknown and unprovided for. What becomes of the limitations of the Constitution, if these Executive fulminations and deeds are parts of the supreme law? Our Federal Constitution has evidently stopped short of your mark,

¹ See editorial comment elsewhere.

for it declares that "this Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the Supreme Law of the Land." If your view be sound, we must add to this provision the declaration that among those supreme laws shall be the acts and determinations of an executive officer "for the public welfare not prohibited by law."

The Federal Constitution endeavored to define the powers of the Government and to point out the mode of changing them or adding to them. You are furnishing a method that is to expand the powers of the Government in the hands of one ruler and contract them in another. But where and what is the standard? Who shall say what is not prohibited by law? Who shall say what is for the public welfare? You are driven to answer that the Executive is the one to do all this. If so, you are providing for the usurpation of legislative power and for the concentration of administrative and legislative power into the hands of one man, and yet that very concentration of power has been condemned by Montesquieu, Blackstone, Dr. Paley, John Adams, Thomas Jefferson, Alexander Hamilton, and all the great men from the dawn of constitutional liberty until this time. To adopt and enforce that view is to pile usurpation upon usurpation until tyranny comes to stay or the people rise in arms. That is the teaching of history. According to the doctrine of *The Outlook*, there is a narrow strip of shore made up of Constitution and laws, and beyond it is the broad ocean of untrammelled Executive action because it is not prohibited by law. All this ignores the fundamental maxim of our statesmen and our judges that "this is a government of laws and not of men."

Washington, D. C.

L. T. MICHENER.

II

The Outlook holds that the Federal executive power is unbounded except where it is limited in the express words of the Constitution. It quotes Ambassador Bryce and two or three other foreign writers to support that fantastic notion. Mr. Bryce contends that the President is George III shorn of some prerogatives.

The Outlook has never read the Tenth Amendment to the Constitution, it would seem, else it would never have taken so untenable a position as it occupies. . . .

The Tenth Amendment recites that the powers not granted by the Constitution are reserved to the States or to the people. To maintain that the executive power is unlimited except where it is expressly restrained is to ignore the Constitution itself. We have no king in this country under any title, but only an elected person whose duty it is to see that the laws are executed and not work his own sweet will to the limit that his range is unfenced by positive legal limita-

tion. *The Outlook* is a fine example of the new imperialism in American politics.—*The Buffalo News*, May 29, 1910.

THE BRITISH ROYAL DECLARATION

In dealing with this question of what is known as the royal declaration, two things must be borne in mind: In the first place, the present form dates only as far back as 1688, and was used, I think, first by Queen Anne at her coronation in 1702. Its language belongs to a past period, when doctrinal differences made more serious separations than they do now, and expressed themselves in terms of violent denunciation; like the old petition in the English Litany to be "delivered from the Bishop of Rome and all his detestable enormities." It is not only objectionable and offensive to Roman Catholic Englishmen, but seems entirely unsuitable and absolutely unnecessary to accomplish the only object of the coronation oath. Denying certain doctrines as "superstitious and idolatrous" is certainly needless, when the only point and purpose is to proclaim and protect the independence of the English Church from any papal control. It seems only right and natural that the King of England, as ruler of the State with which the Church of England is so closely connected, should be as loyal a subject of the Church as of the State of England. And by the Church of England one understands that ecclesiastical organization whose existence as the old British Church dates from the early centuries of Christianity, and absolutely antedates not only the Reformation but the coming of St. Augustine to England as a mission priest.

In the Magna Charta, A.D. 1215, the language is clearer even than it was in the time of Ethelred II, 978, or in the time of Henry I. In the coronation oath of these two kings the expression used is "God's Church and all the Christian people of my realm," or "all the Christian people over whom I rule." But in Magna Charta, in King John's time, the expression is, "That the Church of England shall be free and have her whole rights and liberties inviolable." It is greatly to be hoped that some change of language may be made, even though it should only amount to the substitution of the third clause of Queen Anne's oath for all the rest of it; in that the promise runs: "To maintain the law of God, the true profession of the Gospel, and the Protestant reformed religion established by law; and to preserve unto the bishops and clergy of the realm, and to the churches committed to their charge, all such rights and privileges as by law do or shall appertain to them or any of them."

This will indicate two strong convictions on my part: first, the needless offensiveness of doctrinal denunciation; and, second, the plain recognition of the position of the English Church as an independent, national, autonomous church, free from any outside ecclesiastical control.

If there is any remainder anywhere of the old-time violence and bitterness of language,

it must be contained in what is reported to be the oath or promise of admission to the Order of Jesuits, and that, I trust, may have been before now changed.

WM. CROSWELL DOANE.

Bishop's House, Albany, New York.

THE COURT AND THE CHILD

To those who are at all interested in the boy problem Mr. White's article in the June Magazine Number of *The Outlook* on "The Epoch of the Child" comes with a very special appeal, emphasizing, as it does, the great change which has come about in the method of treatment of "delinquent" children. There should be, however, a supplemental article on the very special effort which is now being made by many of the judges of our Children's Courts toward a solution of this complex problem.

The work along these lines of Judge Lindsey (who was instrumental in having the Colorado statute define a "delinquent" as a person "misguided, misdirected, who needs aid, help, assistance, and encouragement") and of Judge Baker, of Boston, is well known, but it is not so well known that some of our New York City judges who sit in the Children's Court are lending themselves earnestly and conscientiously to a solution of this problem. It was my good fortune to sit with Judge Hoyt a few days ago as he presided over the Children's Court in this city, and his very great desire to be of service to the small defendants was most gratifying. Of the thirty boys who came before him, only one was sent to an institution that might in any sense be deemed penal. In every case there was an abundance of good advice and an earnest effort to make "the punishment fit the crime" in the truest sense.

Incidentally, it may be remarked that if the persons who are opposing the setting aside of more land for park purposes could have seen the great number of little fellows who had been haled into court for playing baseball, their opposition to more parks would be likely to cease. As best evidencing the way in which Judge Hoyt sized up the general situation and meted out fit punishment, perhaps I may cite a single case. A boy had been arrested for getting into an altercation with a girl of about his own age because of the fact that he had called her a "dumb waiter." It was not denied by the boy (a fine-looking fellow who had never before been in court) that he had made use of the epithet in question. It further developed that the girl, the complaining witness, had evened up matters by administering four boxes on the ears, of considerable severity, with the result that another epithet "slipped out," as the boy testified, and a general altercation ensued. The Court, after admonishing the boy quite severely for the use of the language in question, asked the complaining witness whether she thought two years at the State Reformatory would be about right as a sentence.

The girl agreed with alacrity in the wisdom of the suggestion. The Court then asked her if she did not think that two years was a little long for the offense charged. The girl—vigorously chewing gum the while—indicated that any shorter sentence would not accomplish the purpose. It was a critical period for the boy, who awaited anxiously the judgment of the Court. After again admonishing him, the Court's decision was that the defendant should apologize to the complaining witness, and tell her that he would never call her a "dumb waiter" or any other name. The apology was delivered with grave formality, the case was taken from the docket, and, I think, all in the court-room were agreed that the ends of justice had been met.

It is quite as much because of the triviality of many of the offenses for which arrests may be made, and indeed must be made if existing laws are to be enforced, as because of the heinousness of other offenses, that it is immensely important that the judges of our Children's Courts should be men of rare discrimination, consecrated to the cause of the child. That this type of judge is appearing more and more frequently in our larger cities is a source of great gratification, and argues better things for the future of the Commonwealth.

SAMUEL T. CARTER, JR.

New York City.

THE JACOB A. RIIS NEIGHBORHOOD SETTLEMENT

The other day the boys of our house had their annual field day. The Department of Education lent us the Curtis Athletic Field on Staten Island. Two hundred and fifty boys played all day, made records, and won medals fairly. When they went home, the director said that a better behaved and withal a happier lot of lads never came there, not excepting the high-school boys whose grounds they had borrowed, and asked them to come again. Next day we read in the papers of the pranks of a lot of college boys on a "lark," who desecrated a graveyard, despoiled a church, and assaulted a judge; and we recalled the visit of a learned professor to our house and his criticism that "we didn't teach civics." Those college boys were in his State. Comparisons are odious. But the coincidence prompts the observation that to be taught to behave like gentlemen is, after all, pretty good "civics" for young people to start with.

The summer is at the door now, with its thousand activities. This week our kindergarten goes up to Twin Island; next week follow the mothers with their babies, and then one party succeeds another till, with the end of hot weather, schools open again. There are vacations to be provided for those who need them so much, breadwinners though yet in their teens, and can't afford them. And for the stay-at-homes there is the roof garden that is an endless source of delight. Last year the Fresh Air work cost four thousand dollars and over, and we need

that much and more this summer. A good deal of money? Yes, it is; but come down here and spend one hot night in a crowded tenement, then think of those who have to spend all their nights there, and weary days to boot, except the two weeks in the country or the day excursions we can give them. Then you will know what that relief means.

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JACOB A. RIIS.

HOW TO TEACH ZOÖLOGY IN COLLEGE

The writer happens to be one of those individuals who for the past decade has been undergoing a process that was intended to equip him for the serious teaching of zoölogy. With your recent article "How to Teach Zoölogy," by Mr. Hornaday, in mind, he recalled how an alumnus of a neighboring college, now an active man in the profession of the ministry, visited his laboratory last summer and asked to see an amœba, saying that "it was the most *interesting* animal he had ever seen," read about, or *studied pictures* of, and that he "always sought an opportunity to see an amœba." He recalled also the testimony of another college student, now a Division Superintendent of Public Schools in the Philippine Islands, that his course in biology at Ohio Wesleyan, leading up to the idea of evolution, was the most profitable course of his entire college experience of four completed years. Finally, memory encouraged the writer with the similar testimony of his own pupils, now in various thoughtful vocations. These were all satisfying reminiscences. As he read "How to Teach Zoölogy" he also recalled the delight of boyhood in discovering the place and mode of construction of his first muskrat's nest or his first humming-bird's nest. Thus, in a reminiscent attitude he sat to-day, trying to decide if he had got so far from that boyhood's day and its interests as to have overlooked the things important for a college boy's mind, when a bright young Richmond student came into his office to return a book on zoölogy and evolution. Perhaps this student could help his teacher realize how rapidly he had grown old, and how completely he had forgot his youth. So the writer asked if he had read the article "How to Teach Zoölogy." He had. "To be frank," he added, "I have been disappointed in not getting anything in our course concerning the habits and instincts of the birds and mammals of the neighborhood." "That is true; you did get little information of that sort. However, do you value the information given you that brought you to realize the continuity of life and the presentation of the facts upon which you base a belief in the theory of evolution? Do you think that a knowledge of the animal cell and its place in the animal tissue, and the study of a sporozoön, allied to the malaria 'germ,' will make you an intelligent, sympathetic worker in municipal or State health campaigns?" To

all of these the student quite readily and with conviction answered "Yes." "And yet," he repeated, "I am sorry we did not get less details of certain structures and in their place study the habits and instincts of our animal neighbors."

So, according to this student's frank statement of his interests, we find them lying along two lines. The average college course in zoölogy gives the student an outline of the animal kingdom, and, if he wishes, he can follow the line of his less important interest and learn something about the forms that live about him; for he needs but to use his legs, eyes, ears, and wits to get this information; or, for that matter, he may read classic natural histories and *study their pictures*.

Since, however, the writer thinks it is the aim of a college teacher to set young men thinking, this young student's other line of interest helped the writer decide that, after all, in passing over many of the interesting facts of animal life he was not missing the essential thing. The student had laid hold of a great thought and only reluctantly had put aside an interest in other important things.

The haunts, habits, and instincts of his "animal neighbors" are of vital importance to the savage who must prey upon these animals and by cunning or other methods defend himself against them. For him such knowledge is essential to his mode of existence. On the other hand, the amœba would little interest him, and its relation to other animals in the light of the theory of evolution would be of no interest to him.

In civilized communities the importance of these two lines of interest is different. The boy takes delight in discovering his first lamprey's nest and in watching it being built; but this and like knowledge is not necessary for his understanding the thought and teachings of his time and station. A first-hand knowledge of the facts that demonstrate the theory of evolution is more essential to his mode of life when he becomes a thinking man.

In other words, when a man is fitting himself for a season of life in the jungle, he acquaints himself, in so far as possible, with the haunts, habits, and instincts of the beasts of the jungle. When that same man prepares himself to speak before an English university on lessons of history, he ignores the knowledge acquired for life in the jungle and says: "He who would fully treat of man must know at least something of biology, of the science that treats of living, breathing things; and especially of that science of evolution which is inseparably connected with the great name of Darwin."

So the writer believes that it is better to help college students more clearly to think the thoughts of civilized men than to lead them to an interest in phases of animal life which are essential only to the life of jungle men.

WILLIAM A. KEPNER,
Adjunct Professor of Biology,
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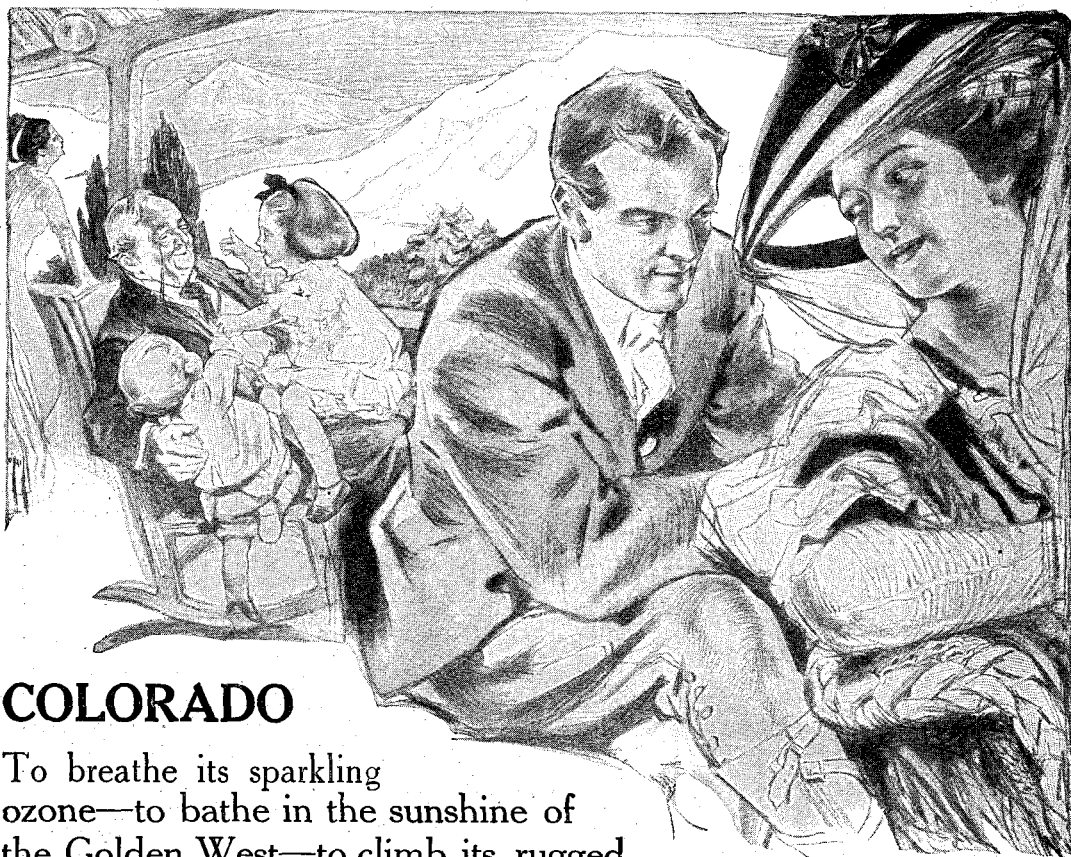
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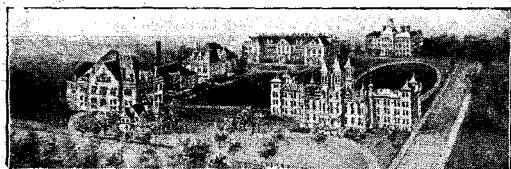
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